

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

FEBRUARY 4, 1993

**BERT H. JONES
CHAIRMAN**

BATON ROUGE, LOUISIANA

The following constitute minutes of the Commission Meeting
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the
Louisiana Department of Wildlife and Fisheries

2000 Quail Drive

Baton Rouge, Louisiana 70808

For more information call (504) 765-2806

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
FEBRUARY 4, 1993

	Page
1. Roll Call	1
2. Approval of Minutes of January 7, 1993	1
3. Aircraft Report/December	1
4. Ratification of Alligator Harvest Regulations	2
5. Wild Louisiana Stamp - Information Only	33
6. Notice of Intent for Black Bass Regulations on Caddo Lake	33
7. Notice of Intent on Toledo Bend Reciprocal Agreement	33
8. Ratification of Special Bait Dealer's Permit	36
9. Declaration of Emergency and Notice of Intent - Red Snapper	40
10. Declaration of Emergency on Calcasieu Oyster Limits	45
11. Fossil Shell Extraction Lease	46
12. Civil Restitution and Class 1 Update	47
13. Monthly Law Enforcement Report/January	47
14. Red Drum Report	49
15. Secretary's Report to the Commission	54
16. Public Comments	55
17. Adjournment	55

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, February 4, 1993

Chairman Bert H. Jones presiding.

James H. Jenkins, Jr.
Perry Gisclair
Joseph B. Cormier
Jeff Schneider
Pete Vujnovich
Tee John Mialjevich

Secretary Joe L. Herring was also present.

Chairman Jones called for a motion for approval of the January 7, 1993, **Commission Minutes**. A motion for approval was made by Commissioner Jenkins and seconded by Commissioner Vujnovich. The motion passed unanimously.

At this point, Chairman Jones introduced Commissioner Cormier who requested to speak to the audience and the Commission. Commissioner Cormier thanked everyone for a warm welcome received from the Commission and the Department. He further stated his philosophy to serve the State to the best of his ability, and said he would respect the perspective of the other Commission Members but would vote according to what is best for the State. He also recognized the importance of the environmental issues for recreational fishing and hunting activities and the commercial fishermen's need to make a fair living and his hope to balance the need of the two groups.

The December **Aircraft Report** was presented by Mr. Lee Caubarreaux. This report showed that four pilots flew a total of 64.0 hours for the month; mentioned that the Aero Commander was being listed on the report at the Commission's request; then stated the estimated cost of \$9,667.02 and actual cost of \$11,807.95 for these aircraft. Also included in the report was a breakdown of the flights that occurred during the month. Then Mr. Caubarreaux asked for questions from the Commission for himself or Mr. Gene Rackle, Chief Pilot. Chairman Jones mentioned that it should not be hard to compute the dollar trade-out value for the Aero Commander when used by the Department. Commissioner Jenkins asked, when figuring the cost for flying the planes, did it include salaries for flight personnel; if the flight personnel are included for their whole monthly cost or is it so much an hour for each plane; was the 210 airplane down for the month since there were no flights; and what was the stranded porpoise flight. Chairman Jones asked about the woodcock survey being performed from an airplane.

Commissioner Mialjevich inquired if the National Marine Fisheries Service paid for looking at the porpoise or if there was a reciprocal agreement between the two; if a report was made, and then he requested seeing the results and findings. He then mentioned that the Department would be taking planes to see if sea gulls had broken legs and so forth and was curious of where this might lead to in the future.

Final Ratification of the Alligator Harvest Regulations was presented by Mr. Johnnie Tarver. Mr. Tarver stated that the Alligator Harvest and Farm Rules were originally drafted in July, were revisited in September, and then working groups met on August 20 and September 20 to discuss these rules, resulting in an agreement. The industry has since made some more comments and these amendments to the original document are being suggested. The changes are in the wording to reflect more specifically what is being dealt with. The industry also has agreed upon the new amendments. Then, Mr. Tarver reminded the Commission that the U.S. Fish and Wildlife Service must accept the document and requested adoption of the document by the Commission. Commissioner Schneider asked if a study on the survival rate between wild alligator hatchlings and the farm raised was still going on; and then asked if in another year there would be results from the study. Commissioner Jenkins moved to ratify the Alligator Regulations. Chairman Jones asked if the Enforcement Division had signed off on the document. Then Chairman Jones recognized Commissioner Jenkins motion for ratification. Commissioner Vujnovich seconded the motion. The motion passed unanimously. Chairman Jones asked for public comments and heard none.

(The full text of the Rule is made a part of the record.)

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission does hereby adopt a rule to amend the alligator regulations which govern the wild and farm alligator harvest. The alligator industry of Louisiana represents a renewable resource, valuable to the economy providing income to approximately 125 alligator farmers and in excess of 1,900 alligator hunters. The alligator farming program and the annual harvest of surplus wild and nuisance alligators is in keeping with wise wildlife management techniques based upon scientific research conducted by the Department of Wildlife and Fisheries.

The regulations governing the alligator harvest program and the alligator farming program are attached and may be viewed at the

Wildlife and Fisheries Headquarters, 2000 Quail Drive, Baton Rouge, LA, phone: (504) 765-2812.

Title 76

Wildlife and Fisheries

Part V. Wild Quadrupeds and Wild Birds

Chapter 7. Alligators

Section 701. Alligator Regulations

The Department of Wildlife and Fisheries does hereby establish regulations governing the harvest of wild populations of alligators and alligator eggs, raising and propagation of farmed alligators tanning of skins and regulations governing the selling of hides, alligator parts and farm raised alligators. The administrative responsibility for these alligator programs shall rest with the Department Secretary; the Assistant Secretary, Office of Wildlife; and the Fur and Refuge Division.

A. Purpose.

These regulations are to govern the taking, possession, selling, raising and propagation of alligators statewide, both in the wild and in captivity. They are enacted to prevent depletion or waste, while enhancing utilization of this renewable resource. These regulations are based upon scientific study and population monitoring and are consistent with federal requirements to qualify alligators and alligator parts from Louisiana for international export under the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Alligators in Louisiana are not endangered but their similarity of appearance to endangered crocodilian species requires controls on commerce to minimize illegal trafficking of these species and to regulate and maintain the wild population of alligators. These regulations provide rules to enhance alligator farming operations; establish the methods of alligator harvest; establish minimum facility requirements for alligator farming; regulate commerce in alligators, eggs and parts; streamline necessary reporting requirements; and, establish a regulated nuisance alligator control program.

B. Definitions.

The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning:

1. Alligator - American alligator (Alligator mississippiensis).

2. Alligator Egg Collection Permit - A permit issued by the Department allowing for the collection of alligator eggs on designated properties described as part of the permit. The permit will be signed by the Secretary or his designee, the permittee and the landowner/land manager.

3. Alligator Farm (nongame quadruped) - An enclosed area, constructed so as to prevent the ingress and egress of alligators from surrounding public or private lands or waters and meeting other specifications and requirements set by the Department, where alligators are bred, propagated, or raised as a commercial enterprise under controlled conditions. "Alligator Farm" also includes alligator ranching wherein eggs are collected from the wild, and raised, pursuant to departmental license or permit.

4. Alligator Farmer - A properly licensed person who raises alligators under controlled conditions which prohibit free movement of the animals onto and off of the farm or controlled area, or who collects and sells wild alligator eggs, and who may harvest alligators under the supervision of the Department. An alligator farmer must possess a valid nongame quadruped breeder's license.

5. Alligator Hide Tag - An official CITES serially numbered tag issued by the Department.

6. Alligator Hunter - A properly licensed resident or nonresident person who takes wild alligators. Resident hunters are divided into four classes:

(a) Commercial - Anyone who is licensed by the Department to take wild alligators after having filed application(s) approved by the Department which authorize the issuance of alligator hide tags to him.

(b) Helper - Anyone who is licensed by the Department to assist a commercial hunter during alligator harvest activities; alligator hide tags cannot be issued to a helper license holder.

(c) Sport - Anyone who is licensed by the Department and guided by a commercial hunter during alligator harvest activities; alligator hide tags cannot be issued to a sport license holder.

(d) Nuisance - A licensed alligator hunter who is contracted or otherwise selected by the Department to remove designated nuisance alligators and who can be assigned alligator hide tags by the Department.

7. Alligator Part - Any part of the carcass of an alligator, except the hide and includes the bony dorsum plates, if detached from the tagged alligator hide.

8. Alligator Parts Dealer - Any properly licensed person who deals in alligator parts other than hides and who:

(a) Buys unprocessed alligator parts from an alligator hunter, another parts dealer, or an alligator farmer for the purpose of resale; or

(b) Manufactures within the state non-edible alligator parts into a finished product; or

(c) Purchases unprocessed alligator meat or processes alligator meat for wholesale or retail sale.

9. Alligator Parts Retailer - Any properly licensed person who purchases for retail sale finished alligator parts made from parts other than hides.

10. Alligator Shipping Label - A serially numbered green label issued by the Department required on each shipment of alligators being transported out of the state.

11. Bona Fide Resident (1) - Any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile, as demonstrated with all of the following, as applicable:

(a) If registered to vote, he is registered to vote in Louisiana.

(b) If licensed to drive a motor vehicle, he is in possession of a Louisiana driver's license.

(c) If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.

(d) If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

(2) As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the officers, partners, or employees are domiciled in Louisiana.

12. Closed Season - That period of time of a calendar year not specifically included in the open season.

13. Commission - The Louisiana Wildlife and Fisheries Commission.

14. Common Carrier - Any agency or person transporting passengers or property of any description for hire.

15. Confiscation - The exercise of a right under the police power wherein property is seized and held pending court order if the seized material is nonperishable, or disposed of without judicial intervention if perishable.

16. Consumer - Restaurants and other places where alligator, fish, shrimp, or other aquatic life is prepared for human consumption; or any person using alligator, fish, shrimp, or other aquatic life for bait or personal consumption.

17. Department - The Louisiana Department of Wildlife and Fisheries.

18. Designated Collection Agent - Anyone who is permitted by the Department to assist an alligator egg collection permittee during alligator egg collection.

19. Dressing, Dressed Skins or Dressed Furs - (See "Tanning").

20. Finished Alligator Part - Any non-edible alligator part that has been completely processed from parts other than hides for retail sale.

21. Fur Buyer - Anyone who buys whole nongame quadrupeds for the purpose of pelting, carcasses of fur bearing animals, raw furs or skins from fur trappers, alligator hunters, alligator farmers, fur buyers, or fur dealers and who sells to another fur buyer or fur dealer within the confines of the state or to a nonresident fur dealer licensed by the State of Louisiana in interstate commerce, or who acts as an agent of another fur buyer or fur dealer in this state in such purchase or sale. Fur buyers are divided into two classes, resident and nonresident. Resident fur buyers are those who are bona fide residents of this state. All others are nonresident fur buyers.

22. Fur Dealer - Anyone who deals in whole nongame quadrupeds for the purpose of pelting, carcasses of fur bearing animals, raw furs and skins and who:

(a) Buys from a fur trapper, alligator hunter, or alligator farmer, either directly or indirectly, and ships or exports from this state, either directly or indirectly, the raw furs and skins so bought; or

(b) Buys from a fur buyer or other fur dealer and exports from this state the raw furs and skins so bought; or

(c) Buys from a fur trapper, alligator hunter, alligator farmer, fur buyer, or other dealer and sells such raw furs and skins for manufacturing into a finished product in this state; or

(d) Manufactures such furs and skins into a finished product in this state, buying directly from a fur trapper, alligator hunter, alligator farmer, fur buyer, or fur dealer; or

(e) Transports raw furs or skins into this state for the purpose of sale within the state. Fur dealers are divided into two classes, resident and nonresident. Resident fur dealers are those who are bona fide residents of this state. All others are nonresident fur dealers.

(f) Converts raw alligator skins through the tanning process into finished or partially finished leather and/or converts raw (green or dried) fur pelts into dressed furs ready for manufacturing.

23. Hatchling - A young of the year alligator which is less than twenty three (23) inches in length.

24. Hide - (See "Pelt").

25. Hook - Any curved or bent device attached to a line or pole for the purpose of taking alligators.

26. Hunt - In different tenses, attempting to take.

27. Incubator - An apparatus designed and used for the primary purpose of incubating alligator eggs.

28. Land Manager - Any authorized person who represents the landowner.

29. Landowner - Any person who owns land which the Department has designated as alligator habitat.

30. Licensee - Any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.

31. Nongame Quadruped - Alligators, beavers, bobcats, coyotes, gray foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks, and other wild quadrupeds valuable for their furs or skins.

32. Nongame Quadruped Breeder - A person properly licensed to engage in the business of raising, exhibiting and selling nongame quadrupeds on alligator or fur farms.

33. Nongame Quadruped Exhibitor - A person properly licensed to engage in the business of raising and/or exhibiting nongame quadrupeds.

34. Nonresident - Any person who is not a bona fide resident as that term is defined by R.S. 56:8(12).

35. Nuisance Alligator - A specific (particular) alligator that poses a threat to human life or property.

36. Open Season - That period of time set by the Louisiana Wildlife and Fisheries Commission, during which wild alligators or their eggs may be lawfully taken.

37. Out-of-State Shipping Seal - A special locking device or seal supplied by the Department and placed on or across a shipping container by Department personnel prior to shipping out-of-state.

38. Out-Of-State Shipping Tag - An official, serially numbered tag, yellow in color, issued by the Department required on each shipment of alligator hides shipped out of state.

39. Part - For purposes of this section, a part is a division of a subsection.

40. Pelt - The skin or hide of a quadruped.

41. Pelting - Removing the skin and/or fur of a quadruped in such a manner as to render it marketable.

42. Person - Includes any individual person, association, corporation, partnership, or other legal entity recognized by law.

43. Pole Hunting - The act of taking an alligator from a den with a hook pole or snagging device of any type and includes using such devices to induce an alligator to move from a den prior to taking.

44. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, or holding as owner, or as agent, bailee, or custodian for another.

45. Processed Alligator Part - Any part (and its resulting products) that has been removed from a legally taken alligator and for commercial purposes converted into a finished alligator part, or meat prepared and packaged for retail sale.

46. Propagation - The holding of live alligators for production of offspring.

47. Raising - The production of alligators under controlled environmental conditions or in outside facilities.

48. Rearing - (See "Raising").

49. Resident - (See "Bona Fide Resident").

50. Secretary - The secretary of the Louisiana Department of Wildlife and Fisheries.

51. Skin - (See "Pelt").

52. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

53. Tanning - The conversion of alligator skins or fur pelts into an intermediate or finished form and includes the following: crust tanning alligator leather, dyeing alligator leather, glazing alligator leather, tanning fur pelts, shearing fur pelts, and dyeing fur pelts, and includes the dressing of skins and furs.

54. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

55. Wildlife - All species of wild vertebrates.

56. Wildlife Management Area - Any area set aside, maintained, and supervised by the Department for the purpose of managing and harvesting wild birds, wild quadrupeds, fish and other aquatic life under controlled conditions to afford maximum public hunting and fishing opportunity.

57. Wildlife Refuge - Any area set aside and designated by the Department as a refuge on which wild birds and animals are protected. Control of certain forms of wildlife may be conducted by the Department.

C. General Rules.

1. No person shall take, possess, purchase or sell alligators, alligator eggs, alligator hides, alligator parts, or goods manufactured from alligators, except as provided in these regulations and LA. R.S. Title 56.

2. Each alligator, alligator hide, alligator egg, or alligator part taken or possessed in violation of these regulations shall constitute a separate offense.

3. Alligators or hides of alligators harvested in Louisiana shall be tagged in accordance with provisions as prescribed in Sec. F, paragraph 5 of these regulations and deviation from those

requirements shall be a violation and subject hides to confiscation. Violation of this part is a class 4 violation as described in Title 56.

4. Pole Hunting is prohibited. It is legal for a hunter to retrieve a shot alligator with a hook pole or to retrieve with a hook pole an alligator taken on a hook and line. Violation of this part is a class 2 violation as described in Title 56.

5. An alligator hunter must possess on his person one or more current alligator hide tags issued for the property on which he is hunting; and if participating in a joint hunting operation at least one licensed hunter needs to possess current hide tags issued for the property on which they are hunting among a group of licensed hunters who are physically present in the same location. Violation of this part is a class 2 violation as described in Title 56.

6. No person shall release any alligator from any taking device for any purpose without first dispatching the alligator. After the alligator is removed from the taking device the hide tag shall be properly attached immediately upon possession. Violation of this part is a class 4 violation as described in Title 56.

7. Taking or collection of any wild alligator illegally is strictly prohibited. Violation of this part is a Class 4 violation for each alligator taken as described in Title 56. All alligators taken in violation of this part shall be confiscated and in addition to all other penalties provided herein, all alligator licenses of any type held by the offender(s) shall be revoked for a period of three (3) calendar years. If violation(s) of this part involves a farm operation, no alligators shall be raised or propagated on the offender's facilities for a period of three (3) calendar years. Any live alligator(s) confiscated pertinent to any violation of this part must be returned to the wild when appropriate. Selection of the release site and time of year of the release shall be accomplished only after consultation with and in agreement with biological staff of Fur and Refuge Division.

8. The shipment of alligator eggs out of state is prohibited except where special scientific permits have been obtained in advance from the Department which specify all such shipments. Violation of this part is a class 4 violation as described in Title 56.

9. Transportation of alligator(s) into this state without prior written approval of the Department is strictly prohibited. Violation of this part is a class 4 violation as described in Title 56.

10. It is unlawful to ship alligator eggs into the State of Louisiana unless they are to be used for Department sponsored scientific studies and these shipments shall have prior written

Department approval. Violation of this part is a class 4 violation as described in Title 56.

11. The shipment of live alligators or alligator eggs out of the United States is strictly prohibited unless they are used for Department sponsored scientific studies with an accompanying authorization signed by the Secretary. The transfer of ownership of live alligators out of their natural range for commercial purposes is strictly prohibited. However, this part does not prohibit a licensed Louisiana alligator farm from raising alligators of Louisiana origin in a non-range state provided the non-range farm is in complete compliance with all applicable state(s) and federal regulations. Violation of this part is a class 3 violation as described in Title 56.

12. There is levied a severance tax of twenty-five cents on each alligator hide taken from within the state, payable to the state through the Department by the alligator hunter or alligator farmer shipping or taking his own catch out of state, or by the dealer shipping skins or hides out of state or tanning alligator skins in Louisiana. Violation of this part is a class 2 violation as described in Title 56.

13. An alligator hunter or alligator farmer may give alligator parts to anyone for personal use. Any part of an alligator shall have affixed thereto the name, address, date, hide tag number, and the license number of the person donating the alligator part(s). This information shall be legibly written in pen or pencil on any piece of paper or cardboard or any material which is attached to the part(s) or to the container enclosing the part or parts. This information must remain affixed until the part(s) has been stored at the domicile of the possessor. Violation of this part is a class 2 violation as described in Title 56.

14. A. R.S. 56:280, passed in the regular session of the 1992 Louisiana Legislature established a state policy which protects white or albino alligators and except under department permit prohibits the taking of white or albino alligators from the wild.

B. Conditions under which any alligator that is white or albino may be taken from the wild and under official department permit include:

1. Landowners or licensed alligator farmers or ranching operators may capture live and unharmed a white or albino alligator for its own protection. All such instances of possession shall be reported immediately to the Department.

2. Any white or albino alligator hatchling produced from wild collected eggs authorized by a Department Alligator Egg Collection Permit will remain in the possession of such licensed operators. Any white or albino hatchling must be reported

immediately upon hatching to the Department on a standard activity report form.

3. Any person who unintentionally takes from the wild any alligator that is white or albino by hook and line shall immediately report its presence and location to the Department. Department personnel of the Fur & Refuge Division will on a case by case basis determine the disposition of any such white or albino alligator which is unintentionally hooked.

C. Any white or albino hatchling produced from a licensed breeding pen will remain in the possession of such licensed operators but must be reported immediately upon hatching to the Department on a standard activity report.

D. It shall be a violation if any person intentionally takes from the wild any alligator that is white or albino by any means.

E. Violation of R.S. 56:280 shall subject the violator to a fine of not less than ten thousand dollars and imprisonment for not less than six months or more than 12 months, or both.

15. Alligator meat and parts may be shipped in containers that are sealed and the parts identified to the CITIES tag of origin. A fully executed alligator hunter, farmer, or parts dealer Alligator Parts Sale or Transaction form shall meet the U.S. Fish and Wildlife Service parts identification requirements, provided such form(s) is/are prominently attached to the outside of each shipping container. Alligator meat/parts shipped to another state must meet applicable state/federal requirements of the receiving state. Alligator meat/parts exported from the United States must meet the requirements of the U.S. Fish and Wildlife Service as well as those of the receiving country. Alligator skulls being exported shall carry a "tag" containing the CITIES tag number and the hunter's name and license number. The skull must also be physically marked with the number of the original CITIES tag used for the hide of the individual alligator. Violation of this part is a class 3 violation as described in Title 56.

D. Licenses, Permits and Fees.

1. The licenses and fees required for activities authorized by these regulations are as prescribed under provisions of Title 56, or as prescribed in these regulations, and are:

(a) \$25 for a resident alligator hunter's license; including commercial, helper, sport, and nuisance types.

(b) \$150 for a nonresident alligator hunter's license

(c) \$25 for a resident fur buyer's license;

- (d) \$100 for a nonresident fur buyer's license;
- (e) \$150 for a resident fur dealer's license (\$500 deposit required);
- (f) \$300 for a nonresident fur dealer's license (\$1,000 deposit required);
- (g) \$10 for a nongame quadruped exhibitor's license;
- (h) \$25 for a nongame quadruped breeder's license;
- (i) \$50 for a alligator parts dealer license;
- (j) \$5 for a alligator parts retailer license;
- (k) \$4 for each alligator hide tag;
- (l) \$4 for each whole alligator leaving the state as alligator shipping label fee;
- (m) \$0.25 severance tax for each alligator hide taken from within the state;
- (n) \$25 for a Designated Agent Collection Permit.

All license types prescribed above except nongame quadruped exhibitor and breeder expire annually on June 30. Nongame quadruped exhibitor and breeder licenses expire annually on December 31.

2. No person may take, attempt to take, or possess a wild alligator in this state during the open season for taking wild alligators unless he or she has acquired and possesses an alligator hunter's license. An alligator hunter must have in possession a valid alligator hunter license to take or sell alligators, their skins, or parts. Violation of this part is a class 3 violation as described in Title 56.

3. No person may engage in the business of buying and selling alligators or alligator skins unless he has acquired a resident or nonresident fur buyer's license. No resident or nonresident fur buyer shall ship furs, alligators, or alligator skins out of state. Violation of this part is a class 3 violation as described in Title 56.

4. No person may engage in the business of buying and selling alligator or alligator skins or shipping alligator skins out of state or tanning alligator skins within the state unless he has acquired a resident or nonresident fur dealers license. Violation of this part is a class 3 violation.

5. No person may engage in the business of raising and/or exhibiting alligators unless he or she has acquired and possesses a valid nongame quadruped exhibitor license. Violation of this part is a class 3 violation as described in Title 56.

6. No person may engage in the business of raising, breeding, collecting and selling alligator eggs from the wild, propagating, exhibiting and selling alligators alive or selling their parts, and killing and transporting them and selling their skins and carcasses unless he or she has acquired and possesses a valid nongame quadruped breeder license and complies with Subsections N and O of these regulations. Violation of this part is a class 3 violation as described in Title 56.

7. No person shall engage in the business of buying and selling unprocessed alligator parts unless he has acquired and possesses a valid alligator parts dealer license. Violation of this part is a class 2 violation as described in Title 56.

8. Each retailer purchasing for retail sale, finished alligator parts made from parts other than hides, shall secure from the department an alligator parts retailer license prior to commencing business. Violation of this part is a class 2 violation as described in Title 56.

9. No person shall remove and possess alligator eggs from wild nests unless he has acquired and possesses a valid nongame quadruped breeder license or a valid Designated Agent Collection Permit and also has in his possession a valid alligator egg collection permit. Egg collection permits will only be issued to those persons who demonstrate competency in egg collection and handling, have necessary equipment accessible and comply with all Department requirements as described in Subsection N of these regulations. Violation of this part is a class 4 violation as described in Title 56.

10. No person shall ship or transport alligators out of the state without first applying for and receiving an alligator shipping label which shall be affixed to each shipment of alligators and is properly completed and validated by Department personnel. Violation of this part is a class 3 violation as described in Title 56.

11. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the severance tax prior to shipment. Violation of this part is a class 2 violation as described in Title 56.

12. Valid holders of alligator hunter license, nongame quadruped breeder license, fur dealers license and alligator parts

dealer license must comply with the receiving state/country requirements and with federal licensing, tagging and permit requirements to engage in interstate and international commerce involving alligators, alligator hides, alligator parts and fully manufactured alligator hide products. Violation of this part is a class 2 violation as described in Title 56.

E. Wild Harvest Methods.

1. Alligators taken from the wild may be removed from hook and line, and other legal capture devices which may be used, only during daylight hours, between official sunrise and official sunset. Violation of this part is a class 4 violation as described in Title 56.

2. There are no size restrictions on wild alligators taken during the general open season.

3. Legal methods for taking alligators in the wild are as follows:

- (a) Hook and line;
- (b) Long (including compound) bow and barbed arrow; and
- (c) Firearms.

Violation of this part is a class 2 violation as described in Title 56.

4. Hooks and arrows may be used only when a line of at least 300-pound test is securely attached to the hook or head of the arrow in such a manner to prevent separation from the hook or head until the carcass is retrieved. The other end of the line must be attached to a stationary or floating object capable of maintaining the line above water when an alligator is attached. Violation of this part is a class 2 violation as described in Title 56.

5. Alligator hunters shall inspect their hooks and lines and remove captured alligators daily. Alligators shall not be cut loose from hooks and lines for the purpose of selecting larger alligators. All hooks and lines shall be removed when an alligator hunter's quota is reached. In the event an alligator is hooked and the hunter's quota has been reached the hunter must release the alligator in the most humane method possible. Violation of this part is a class 2 violation as described in Title 56.

6. Baited hooks and lines may be set no more than 24 hours prior to the general open season and shall be removed no later than sunset of the last day of the open season. Violation of this part is a class 2 violation as described in Title 56.

7. No person possessing alligator hide tags issued for privately-owned land or water may take alligators on adjacent

publicly-owned water unless the taking device is anchored to privately-owned land or the person is on privately-owned land when the taking occurs, provided that any alligator captured on a legal taking device that is anchored to privately-owned land or held by a person on privately-owned land may be dispatched from a floating craft on public water. Violation of this part is a class 2 violation as described in Title 56.

8. A person possessing alligator hide tags for publicly-owned areas may take alligators by legal means from a floating craft on public water for which the tags are issued.

F. Alligator Hide Tag Procurement and Tagging Requirements.

1. Alligator hide tags may be obtained as follows and only to properly licensed alligator hunters and nongame quadruped breeders.

2. Landowners, Land Managers and Hunters - upon application to the Department on forms provided for tag issuance. Applications for alligator tag allotments will be taken annually beginning August 1 and ending 10 days after the season opens. Tags will not be issued after the 10th day following the season opening date.

(a) Maximum tag issuance to individual landowners, land managers, or their hunters shall be determined solely by the Department. Landowners, land managers, or their hunters shall certify total acreage owned or represented on a form prescribed by the Department at the time of application. The location and acreage of the property must be provided which includes parish, township, range and section delineation figures.

(b) Land managers and hunters must present a notarized document from the landowner verifying their selection to represent that landowner and the total acreage represented to obtain hide tags.

(c) Payment for all alligator tags shall be received by the Department prior to issuance. Numbered alligator hide tags shall only be issued in the name of the license holder and are nontransferable. A refund will be issued for all unused alligator tags which are returned within 15 days following the close of the season.

3. Alligator farmers - upon request and receipt of payment to the Department at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by Department personnel. A refund will be issued for all unused alligator tags returned to the Department within 15 days following the last day of the year that issued tags are valid.

4. If an alligator hunter is cited for hunting alligators out of season, or at night, or on property other than that for which

hide tags were issued, all unused hide tags and alligators in possession shall be confiscated and the violator's alligator hunting license shall be revoked. Violation of this part is a class 4 violation as described in Title 56.

5. A hide tag shall be properly attached and locked using the tag's locking device in the alligator's tail immediately upon possession by an alligator hunter. Alligator farmers, fur buyers and fur dealers may wait until farm raised alligators are skinned prior to tagging, but under no circumstances can the tag be attached using the locking device more than 48 hours after dispatching the alligator. Live or dead farm raised alligators may be transported with their accompanying tags from a licensed alligator farm to a licensed processing facility, however each shipment shall be accompanied with the exact number of alligator hide tags. In the event that an alligator tag contains a factory defect rendering it unusable for the purpose intended or becomes detached from an alligator or hide, the tag must be reattached to the tail of the alligator/hide. The Department will be responsible for the replacement of reattached tags prior to shipping out-of-state or prior to tanning within the state. It shall be unlawful to tag or attempt to tag an alligator with a tag that has been locked prior to the taking. Locked tags may be replaced upon request at the discretion of the Department. The alteration of hide tags is strictly prohibited and will result in the confiscation of all tags and alligators/hides and the revocation of the violator's alligator hunting license. Violation of this part is a class 4 violation as described in Title 56.

6. In the event that an alligator hide tag cannot be located when in the possession of a Buyer/Dealer, then the following procedure shall be followed:

(a) Following discovery of an untagged alligator or alligator hide by the Buyer/Dealer, they shall notify the Department of Wildlife & Fisheries, Fur & Refuge Division within 24 hours and the Department of Wildlife & Fisheries will place a state tagging device on the alligator or alligator hide.

(b) Upon discovery of an untagged alligator or alligator hide by Department of Wildlife & Fisheries personnel, such personnel shall place a state tagging device on the alligator or alligator hide.

(c) The State tagged alligator or alligator hide will remain in the possession of the Buyer/Dealer following the placement of the State tagging device until such time as the hide tag is located or until December 31st of that year, whichever comes first. Upon presentation of the missing hide tag and the corresponding Buyer/Dealer record which documents a match between the tag number and the alligator/hide being held, and if the Department of Wildlife and Fisheries then confirms that such tag

number has not been previously shipped, the Department of Wildlife and Fisheries shall attach a replacement alligator hide tag.

(d) If the Buyer/Dealer does not locate the missing hide tag following the placement of the State tagging device by the end of the allotted time period but is able to identify the tag number on a Department of Wildlife & Fisheries issued or approved Buyer/Dealer record which documents a match between the tag number and the skin being held, and if the Department of Wildlife & Fisheries then confirms that subject tag number has not been previously shipped, the Department of Wildlife & Fisheries may, in its discretion, issue a replacement alligator hide tag.

(e) The failure of the Buyer/Dealer to produce the correct hide tag and/or correct documentation by the end of the allotted time period shall constitute a violation of this part.

(f) The previous or subsequent attachment to an alligator or alligator hide of the missing hide tag as described above shall constitute a violation of this part.

(g) Violation of this part is a Class 4 violation as described in Title 56.

G. Open Season, Open Areas, and Quotas.

1. Open seasons are as follows:

(a) The general open season for taking alligators in the wild may be established annually by the Commission at their regular July meeting. The Secretary shall be authorized to close, extend, delay, or reopen the season as biologically justifiable.

(b) Nuisance control hunters may take nuisance alligators at any time as prescribed by the Department.

(c) Farm raised alligators may be taken at any time following the issuance of hide tags by the Department.

(d) The open season for collection of alligator eggs from the wild shall be from May 15 through September 1 of each calendar year. Violation of this subpart is a class 4 violation as described in Title 56.

2. The open areas are as follows:

(a) For the general open season, those areas designated by the biological staff of the Department as alligator habitat and which can sustain an alligator harvest.

(b) The Department may select public lakes and lands for an experimental alligator hunting program. The harvest will be

controlled by a tag allotment for each lake as determined by Department personnel. Applicants for public lake hunting must be 16 years of age or older. Applications must be received at least 10 days prior to the season opening date. A public drawing will be held to select hunters. An alligator hunter can receive tags for and hunt on only one public lake per season. The tag quota for each lake and hunter will be established by the biological staff of the Department. Alligator tags issued on public lakes and lands are nontransferable.

(c) Wild alligators in the remainder of the state may be taken only under provisions as prescribed by the Department.

(d) The open alligator egg collection season shall be those areas designated by the biological staff of the Department as alligator habitat which can sustain an egg collection harvest and egg quotas will be determined by Department biologists.

3. The daily and season quota is equal to the number of valid alligator hide tags that a licensed alligator hunter possesses. Violation of this part is a class 4 violation as described in Title 56.

4. Non resident alligator hunters may only take three (3) alligators during the open season. Violation of this part is a class 3 violation as described in Title 56.

5. Harvest rates will be calculated annually by Department personnel based on biological data. Alligator hide tag allotments will be established prior to issuance of alligator hunting licenses.

H. Possession.

1. No person shall possess alligators or alligator hides in Louisiana without valid official tags properly attached in the tail using the locking device as prescribed in Section F, paragraph 5. Violation of this part is a class 4 violation as described in Title 56.

2. Alligator farmers may request hide tags or shipping labels from the Department to be used on farm-raised alligators that have died and may hold those alligators in freezers until receipt of the requested hide tags or shipping labels. These alligators may be held in freezers for a maximum of 60 days prior to disposal. All alligators 24 inches and greater in length that die may be skinned and tagged with an alligator hide tag within 48 hours of death. Violation of this part is a class 3 violation as described in Title 56.

3. No person other than a licensed alligator hunter, licensed alligator farmer, licensed fur buyer or licensed fur dealer may

possess a tagged or labeled alligator, a tagged raw or salted hide of an alligator at any time, provided that legally documented tagged or labeled alligators or tagged hides may be possessed without license while in transit, or during processing for tanning or taxidermy. However, properly tagged and documented alligators or hides may be stored at any location at the owner's discretion. Violation of this part is a class 4 violation as described in Title 56.

4. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess live alligators at any time other than by a permit issued by the Department upon request for use in displays and educational purposes, and by holders of valid Department issued permits for scientific purposes. Live, farm raised alligators and their accompanying alligator hide tags may be held for processing by a properly licensed alligator skinning facility without a license or permit. Violation of this part is a class 4 violation as described in Title 56.

5. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess alligator eggs at any time other than Department permitted Designated Collection Agents assisting a licensed and permitted alligator farmer during wild egg collection, or a holder of a valid Department issued permit for scientific purposes. Violation of this part is a class 4 violation as described in Title 56.

6. Any alligators hatched from scientific permits issued by the Department shall be returned to the wild under Departmental supervision following completion of the research project. Violation of this part is a class 2 violation as described in Title 56.

I. Importation, Exportation, Purchase, and Sale.

1. Alligators, alligator hides (raw or salted), or parts of alligators, may be brought into the state only if the alligators, alligator hides or parts of alligators were lawfully taken in another state or country and the person, firm or corporation bringing the alligators, alligator hides (raw or salted), or alligator parts into the state has obtained written permission from the Department. Violation of this part is a class 4 violation as described in Title 56.

2. All alligators, alligator hides (raw or salted), or parts of alligators possessed, sold, purchased, exported, imported, or brought into the state from another state shall be accompanied by documented evidence that they were lawfully taken. Documented evidence shall consist of, but not be limited to:

(a) A resource user license or permit number allowing the taking of alligators and tags or other identification required by

the state or country of origin shall be firmly attached to the alligator, alligator hide, or parts of alligators; and

(b) A tag or label is affixed to the outside of any package or container of alligators, alligator hides, or alligator parts that specifies type of contents, indicates quantity contained, and lists applicable license or permit numbers.

Violation of this part is a class 2 violation as described in Title 56.

3. Purchases of alligators, alligator hides, alligator eggs, and alligator parts are restricted as follows:

(a) A licensed alligator hunter may not purchase alligators or alligator hides from anyone.

(b) A licensed fur buyer may purchase whole alligators or alligator hides from a Louisiana licensed alligator hunter, licensed alligator farmer, licensed fur dealer, or another fur buyer.

(c) A licensed fur dealer may purchase whole alligators or alligator hides from a licensed alligator hunter, licensed alligator farmer, fur buyer or another fur dealer.

(d) A licensed alligator farmer may purchase live alligators only from another licensed alligator farmer (with a Department approved Alligator Transfer Authorization Permit) or the Department.

(e) An alligator farmer may purchase alligator eggs only from another alligator farmer, a landowner/land manager (with an approved Department alligator egg collection permit), or the Department.

(f) A licensed alligator parts dealer may purchase alligator parts from a licensed alligator hunter, alligator farmer, another alligator parts dealer, or the Department.

(g) A licensed alligator parts retailer may purchase finished alligator parts for retail sales.

4. Sales of alligators, alligator eggs, and alligator parts are restricted as follows:

(a) A licensed alligator hunter may sell alligators, alligator hides, or alligator parts taken by the licensee during the general open season to anyone who may legally purchase.

(b) A licensed alligator farmer may sell alligators, alligator eggs, alligator hides, or alligator parts to anyone who

may legally purchase. The sale of alligator eggs or live alligators shall only occur following the issuance of a Transfer Authorization Permit. Application for the permit shall be made at least 2 weeks prior to the transfer.

(c) A licensed fur buyer may sell whole alligators or alligator hides to a fur dealer or another fur buyer within the confines of the state.

(d) A licensed fur dealer may sell whole alligators or alligator hides to anyone who may legally purchase.

(e) A licensed alligator parts dealer may sell alligator parts, other than hides, to anyone.

(f) A licensed alligator parts retailer may sell finished alligator parts to anyone.

5. Legally tagged and documented alligators, alligator hides, and parts of alligators taken in Louisiana may be shipped out of state or exported by alligator hunters, alligator farmers, fur dealers and alligator parts dealers subject to Subsection K of these regulations (relating to Report Requirements) provided that no live alligators or eggs originating in Louisiana may be exported outside of their natural range without specific Department authorization and the concurrence of the United States Fish and Wildlife Service, to be used only for scientific purposes. Violation of this part is a class 3 violation as described in Title 56.

6. A special permit is required of anyone who sells alligator eggs, or live alligators. Violation of this part is a class 4 violation as described in Title 56.

J. Nuisance Alligator Control.

1. Nuisance alligator hunters will be selected by the Department with proper screening by enforcement personnel in the region of appointment. Selection may be based upon recommendations received from the local governing body. Applicants with prior alligator hunting violations will be rejected.

2. Nuisance alligator hunters shall purchase a valid alligator hunter license and are bound by all laws, rules and regulations governing alligator hunting with the exception that nuisance alligators may be taken at anytime.

3. Nuisance alligator complaints will be verified by Department personnel prior to being approved for removal.

4. Tags will be issued to nuisance alligator hunters. Nuisance alligator hunters will attempt to catch nuisance

alligators and relocate to natural habitat selected by the Department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this part is a class 4 violation as described in Title 56.

5. Nuisance alligator hunters may take alligators by any means prescribed by the Department. Failure to comply with Departmental instructions may result in immediate termination of the individual's participation in the nuisance alligator program. Violation of this part is a class 2 violation as described in Title 56.

K. Report Requirements.

1. Report forms provided by or approved by the Department must be completed and filed with the Department by all persons who have been issued an alligator hunter's license, fur buyer's license, fur dealer's license, nongame quadruped exhibitor's license, nongame quadruped breeder's license, alligator parts dealer's license, or alligator egg collection permit in accordance with this Subsection. Reports shall include but not be limited to the information specified in this Subsection.

2. Alligator hunters receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form furnished by or approved by the Department at the time of each alligator part transaction. These forms shall be submitted to the Department at the end of the calendar year.

(b) Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the close of the season. Lost or stolen tags will not be replaced.

(c) All unused tags must be returned to the Department within 15 days following the close of the season. Tag fees will only be reimbursed during this specific time period.

(d) The Department must be notified of any trophy skins not sold to commercial buyers or dealers within 30 days following the close of the season, on official forms provided by or approved by the Department.

(e) Each licensed alligator hunter selling alligator parts to a person or a restaurant shall provide that person with a bill of sale for each transaction.

(f) All records of commercial transactions involving alligator parts by alligator hunters shall be available for inspection by the Department.

Violation of this part is a class 2 violation as described in Title 56.

3. A nuisance alligator hunter shall comply with the same report requirements as a commercial alligator hunter and complete any other reports required by the Department. Violation of this requirement shall result in immediate termination of nuisance alligator hunter status. Violation of this part is a class 2 violation as described in Title 56.

4. Alligator farmers receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form, furnished by or approved by the Department at the time of each alligator parts transaction. These forms shall be submitted to the Department along with the annual report. Violation of this part is a class 2 violation as described in Title 56.

(b) Complete an official lost tag form, furnished by the Department, for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the last day of the year that issued tags are valid. Lost or stolen tags will not be replaced. Violation of this part is a class 2 violation as described in Title 56.

(c) All unused hide tags must be returned to the Department within 15 days following the last day of the year that issued tags are valid. Violation of this part is a class 3 violation as described in Title 56.

(d) Each alligator farmer shall report annually, no later than December 1, on an official form provided by the Department, all activities that have occurred on the farm for the past year including but not limited to the number of live alligators as of that date, separated by sizes, the number of eggs collected and hatched, the purchase and sale of alligators, hides, and parts for the past year and the numbers of alligators lost. Failure to complete this form properly and completely will result in nonrenewal of the nongame quadruped breeder's license. Violation of this part is a class 3 violation as described in Title 56.

(e) Each licensed alligator farmer selling alligator parts to a person or a restaurant shall furnish that person with a bill of sale for each transaction. Violation of this part is a class 2 violation as described in Title 56.

(f) Each alligator farmer collecting alligator eggs, hatching alligator eggs, selling alligators for processing, or selling alligator skins shall submit completed forms as provided by the Department within 10 days following completion of the activity. Violation of this part is a class 3 violation as described in Title 56.

5. Fur buyers, fur dealers, alligator farmers and alligator hunters engaged in the business of buying and/or selling whole alligators or alligator hides must keep within the state a complete record on forms provided by or approved by the Department, all purchases and sales of whole alligators or alligator hides as described in Title 56, and;

(a) Every fur buyer, fur dealer, alligator farmer or alligator hunter having undressed alligator hides in his possession shall file with the Department within 60 days of purchase or within 60 days of tagging or prior to shipping out of state or prior to tanning skins in Louisiana, whichever occurs first, a complete report, on forms provided by or approved by the Department, a detailed description of alligator hides to be shipped or tanned. At the time of shipment or prior to tanning, Department personnel will inspect hides and replace any broken or reattached tags. Department personnel will issue the appropriate number of yellow shipping tags, one for each shipment. At that time, Department personnel will affix a seal/or locking device to each container and if container is reopened by anyone other than Department personnel or Federal personnel this action will be considered illegal. In conjunction with the inspection and prior to Department issuance of shipping tag(s) and seal(s) or locking device(s), Department personnel must collect:

(1) All completed buyer/dealer records for skins in each shipment.

(2) Shipping manifest including each skin in shipment.

(3) Stub portion of yellow shipping tag completely filled-out.

(4) Severance tax owed by alligator hunter, alligator farmer or fur dealer.

If any of the above requirements are not satisfied, the shipment will not be authorized.

Violation of this part is a class 3 violation as described in Title 56.

6. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator hides

purchased inside and outside the state as described in Title 56. Fur dealers in the business of tanning alligator hides must provide a monthly report, on forms provided by or approved by the Department, of all alligator hides being held in inventory. Failure to maintain complete records and to pay the required severance tax subjects any dealer to the full penalties provided and the immediate revocation of his license by the Department. No license shall be issued to a dealer who has not paid the tax for the preceding year. Violation of this part is a class 3 violation as described in Title 56.

7. Alligator parts dealers acquiring alligator parts, shall complete an official alligator parts purchase form at the time of each purchase. Alligator parts dealers selling alligator parts, shall complete an official alligator parts sale form at the time of each sale. These forms shall be furnished by or approved by the Department and shall be submitted to the Department annually, no later than June 30, and;

(a) Alligator parts dealers shall furnish a bill of sale to anyone purchasing alligator parts.

(b) The records of transactions involving alligator parts shall be available for inspection by the Department and shall be maintained complete for a period of one year following any transaction.

Violation of this part is a class 2 violation as described in Title 56.

8. Any alligator parts retailer purchasing finished alligator parts shall maintain a bill of sale for each purchase for a period of six months after such purchase and these records shall be available for inspection by the Department. Violation of this part is a class 2 violation as described in Title 56.

L. Alligator Meat.

1. Alligator meat from lawfully taken alligators can only be sold according to state and federal laws, Louisiana Department of Health and Hospitals regulations and Louisiana Wildlife and Fisheries Commission regulations. Violation of this part is a class 3 violation as described in Title 56.

2. Alligator meat processed in the State of Louisiana and sold for human consumption must be processed in a licensed facility approved by the Louisiana Department of Health and Hospitals and the facility must display a valid permit issued by that agency. Violation of this part is a class 2 violation as described in Title 56.

3. All processed alligator meat for sale must be packaged in suitable containers which identifies the contents as alligator meat, marked with a valid Department license number and comply with all state and federal packaging and labeling requirements. Violation of this part is a class 2 violation as described in Title 56.

4. All alligator meat shipped into the state and being offered for sale must meet all of Louisiana's health, processing, packaging and labeling requirements. Violation of this part is a class 2 violation as described in Title 56.

M. Disposal of Alligators by the Department.

1. The Department may sell alligators, alligator eggs or parts of alligators taken for any purpose deemed necessary for proper management of the species pursuant to Title 56.

2. The Department may dispose of alligators, alligator eggs, or parts of alligators by donation or lending to a scientific institution or other institutions that the Department deems have need for such alligators, however these institutions cannot sell or barter these animals which must be returned to the Department at the conclusion of the program or need.

3. Confiscated alligator hides and parts may be destroyed by the Department pending the outcome of the criminal trial.

4. Confiscated alligator eggs or live alligators may be sold or may be cared for by the Department and released in suitable alligator habitat when and where they can survive when appropriate. All costs incurred by the Department in the maintenance of these eggs and animals in captivity shall be the responsibility of the offender and restitution shall be made to the Department. The Department may consign confiscated alligators to a licensed farm for raising purposes and may compensate the farmer for his expenses by transferring ownership to him of a percentage of the confiscated alligators; not to exceed 50%.

N. Alligator Egg Collection.

1. Alligator egg collection permits are a three party permit between the Department, the permittee and a landowner/manager who owns or leases alligator nesting habitat determined by Department biologists to be capable of producing alligator eggs. The numbers of eggs to be collected will be based upon biological management criteria and will be determined annually by technical staff of the Department. The Department only estimates the numbers of eggs available and assumes no responsibility or offers no guarantee that those numbers of eggs will be available. Alligator egg collection permits may be obtained upon application to the Department on forms provided by the Department. The annual deadline for submitting

applications for Alligator Egg Collection Permits is June 1. This program is experimental and may be changed at any time based on biological data to insure for proper management of the wild alligator population.

2. Alligator egg collection permits may be issued by the Department provided:

(a) Permittee is a properly licensed alligator farmer and meets all applicable requirements in Subsection 0 of these regulations (Alligator Farm Facility Requirements).

(b) All land documentation required on the alligator egg collection permit has been presented to the Department.

(c) Department biologists determine the properties described on the permit application are indeed alligator nesting habitat and can sustain alligator egg collections.

(d) Applicant has obtained all legal and necessary signatures from landowners/land managers.

3. It is unlawful for an alligator farmer or a permitted Designated Collection Agent to collect eggs from properties other than those described in the alligator egg collection permit. Violation of this part is a class 4 violation as described in Title 56.

4. An alligator farmer or designated collection agent in the act of collecting or possessing alligator eggs must possess on his or her person a copy of the fully executed alligator egg collection permit. The designated collection agent must also possess a valid designated collection agent permit.

Violation of this part is a class 3 violation as described in Title 56.

5. Collection of wild alligator eggs can only be made after contacting the appropriate regional supervisor of the Enforcement Division no less than 24 hours prior to each collection trip.

Violation of this part is a class 3 violation as described in Title 56.

6. Alligator eggs can only be collected from the wild from official sunrise to official sunset and only during the established alligator egg collection season and shall not exceed the number on his Alligator Egg Collection Permit. Violation of this part is a class 4 violation as described in Title 56.

7. Alligator eggs collected from the wild must be collected and transported in a manner which insures the greatest survival of

viable eggs as determined by Department biologists. Violation of this part is a class 3 violation as described in Title 56.

8. Failure to hatch at least 70% of viable alligator eggs collected from the wild shall be considered a waste of Louisiana's natural resources. All alligator egg collection permits shall be revoked and no new permits issued should an alligator farmer be found to waste the resources of this state for two consecutive years.

9. Alligator egg collection permits shall be revoked and no new permits issued to alligator farmers who fail to average a minimum hatchling survival rate of 85% for two consecutive years.

10. The alligator egg collection permittee and the landowner are responsible for the return of the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78%. Each alligator shall be returned to the original egg collection area within a maximum time of two (2) years from date of hatching. Each alligator shall be a minimum of 36" and a maximum of 60" (credit will not be given for inches above 60") in size and the returned sex ratio should contain at least 50% females. The alligator egg collection permittee/landowner are responsible for and must compensate in kind for alligator mortality which occurs for Department authorized return to the wild alligators; while being processed, stored, or transported. The Department shall be responsible for supervising the required return of these alligators. A Department transfer authorization permit is not required for return to the wild alligators which are delivered to the farm of origin no more than 48 hours prior to being processed for wild release. Releases back to the wild will only occur between March 15 and September 30 of each calendar year provided that environmental conditions as determined by the Department are favorable for survival of the released alligators. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the Department. Department sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this part is a class 4 violation as described in Title 56.

11. The percentage of alligators to be returned to the wild shall be selected from the healthiest of all alligators of that year class. Abnormal or deformed alligators are not acceptable for release into the wild. It is unlawful for alligators that are to be returned to the wild to be transported out of state. Violation of this part is a class 4 violation as described in Title 56.

O. Alligator Farm Facility Requirements.

1. All first time applicants for a nongame quadruped breeder's or exhibitor's license who will house alligators on their premises shall show compliance of the following minimum facilities as applicable to their particular operation during a required facility examination by Department personnel prior to license issuance:

(a) Secured premises with adequate barriers to prevent escape of enclosed alligators and entry by alligators from outside the farm and to deter theft of alligators.

(b) Source of clean, fresh water which shall be adequate to ensure for proper care of all alligator stock and facilities. This requirement shall be determined by Department personnel.

(c) Provisions for both dry area and pooled water within the secured area adequate for the numbers of alligators to be housed on the premises. This requirement will be determined by Department personnel.

(d) Provision for winter protection, either through adequate denning space or an enclosed, controlled- temperature environment of a design acceptable to the Department.

(e) All controlled-temperature alligator sheds (environmental chambers) shall be of a design acceptable to the Department. Each shed shall maintain a minimum water and air temperature of 80 degrees fahrenheit. Minimum space requirements for alligators housed in the shed shall be:

(i) One square foot of space shall be required for each alligator less than 24" in length.

(ii) Three square feet of space shall be required for each alligator measuring 25" to 48" in length.

(iii) One additional square foot of space shall be required for each additional 6 inches of alligator length for alligators above four feet in length.

(f) All alligator egg incubators shall be of a design acceptable to the Department. Each incubator shall maintain a water and air temperature of 85 to 91 degrees fahrenheit during the egg incubation.

(g) Applicant must be in compliance with all laws and regulations pertaining to zoning, construction, health and environmental standards and must possess any and all applicable permits and licenses.

(h) All alligator facilities should be constructed in a suitable location so as to minimize contact with people.

2. Following initial issuance of applicable license, all applicable facility requirements shall be adhered to and Department personnel have the authority to inspect any and all of the facilities at any time. Failure to adhere to the requirements shall be a violation of these rules and violators will be given 60 days to correct the problem. Failure to comply shall result in confiscation of all animals and/or closure of all facilities. Violation of this part is a class 3 violation as described in Title 56.

3. All alligator farmers possessing alligator eggs outside an alligator nest should house these eggs in an incubator providing constant temperature and humidity conditions. All incubators used to incubate alligator eggs shall be of a design to allow for maximum temperature control and conform to Department requirements to allow for the maximum hatching success. Violation of this part is a class 3 violation as described in Title 56.

4. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers which maintain a minimum water and air temperature of 80 degrees fahrenheit year round and containing dry and wet areas of sufficient surface area to permit all alligators to partially submerge in water. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the Department to move them to outside growth areas. Violation of this part is a class 3 violation as described in Title 56.

5. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet in length, and over four feet in length. Land and water areas sufficient for partial submersion or exit from water shall be provided for each group of alligators held. Violation of this part is a class 3 violation as described in Title 56.

6. All facilities, alligator stock, and records are subject to examination by Department personnel prior to permitting and thereafter during farm operation. Violation of this part is a class 3 violation as described in Title 56.

7. It shall be unlawful for alligator eggs or alligators to be moved from a licensed premises without permitting/approval of the Department. Violation of this part is a class 3 violation as described in Title 56.

8. Any alligator egg or alligator raised on an alligator farm shall be cared for under conditions that do not threaten the survival of such egg and alligator as determined by the biological

staff of the Fur & Refuge Division. In making such determination, Fur & Refuge Division biologists shall take into consideration sanitary conditions, temperature control, feeding, overcrowding and other conditions which effect the survival of alligator eggs and alligators. If the biological staff of the Fur & Refuge Division determines that the survival of any alligator egg or alligator is threatened due to the conditions on an alligator farm, the Department shall notify the alligator farmer and shall provide the farmer with 60 days to take corrective action. If the farmer fails to take corrective action within 60 days, the Department shall have the authority to confiscate any alligator egg or alligator which remains under conditions that threaten the survival of such alligator egg or alligator and to dispose of such alligator egg or alligator as the Department deems necessary. Violation of this part is a class 4 violation as described in Title 56.

P. Exceptions.

1. The Department or an authorized representative of the Department may take by any means and possess alligators or parts of alligators while in the performance of official duties.

2. These regulations shall not prohibit a person from killing an alligator in immediate defense of his or her life or the lives of others. Alligators killed under this provision must be reported to the Department within 24 hours.

Q. Penalty for Violation.

1. In order to facilitate greater control over alligator trafficking, the Louisiana Department of Wildlife and Fisheries finds that public welfare imperatively requires emergency action when the provisions of these regulations are violated.

2. In addition to all penalties set forth herein, violators may be subject to criminal prosecution under provisions of the Louisiana Revised Statutes, particularly Titles 14 and 56 and under Federal law.

3. In addition to all other penalties provided by these rules and by statute, violation of any part of these regulations may result in the suspension and/or revocation of any or all alligator licenses/permits held by the violator and, as further penalty, for serious, repeat, or multiple violations, the Department shall have the right to deny a violator any and all licenses/permits relating to alligators for a period not to exceed three (3) years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, 259, 261, 262, 263 and 280.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16:1070

(December 1990), Amended L.R. 17:892 (September 1991), Amended L.R. 19: (February 1993).

Bert H. Jones
Chairman

Information on the **Wild Louisiana Stamp Program** was requested by Mr. Hugh Bateman to be removed from the agenda and added to the March agenda. As a note to this item, the Oversight Committee did approve the proposed Rule on the Wild Louisiana Stamp and Print Program.

A Notice of Intent for **Black Bass Regulations on Caddo Lake and Toledo Bend Reciprocal Agreement** was next discussed by Mr. Bennie Fontenot. The request was to drop the 14 inch minimum on Caddo Lake and institute a 14 to 17 inch slot, 10 daily take, with no more than 4 over 17 inches. Mr. Fontenot further mentioned the Notice of Intent for Toledo Bend was only to remove Caddo Lake from the reciprocal agreement. Chairman Jones asked the basic reasoning behind the change. Mr. Fontenot informed the Commission that Texas was in full agreement with changing the 14 inch minimum and putting a slot limit on Caddo Lake, but Texas' slot limit would be from 14 to 18 inches with a 3 fish limit per day, whereas Louisiana was requesting a slot of 14 to 17 inches. Then Mr. Gary Tilyou gave a slide presentation to the Commission showing the reasons for what was being proposed. These reasons included the harvest of spotted bass; an effort to reduce the number of 10 inch and 12 inch largemouth bass through harvest, and try to increase the number of fish 14 inches and over.

Questions from Commissioner Jenkins included, what percent of Caddo Lake is in Texas and Louisiana? If, when sampling, the samples had only native bass and no Florida bass and if Texas is sampling Florida bass for the difference in the growth rates? Are there any Florida bass in Caddo Lake and why they do not show up in Louisiana's samples? Have the Florida bass' lack of moving far been found to be true in other lakes where they had been stocked. Chairman Jones inquired if there was a clearly defined line between Texas and Louisiana for enforcement purposes, and if a boat was fishing in a certain spot, can it be checked by enforcement personnel from Texas and Louisiana? Commissioner Mialjevich asked if what was being proposed was for the betterment of the majority of people in Louisiana, and then mentioned he had no problem with different regulations on the same lake. Chairman Jones asked for public comments and received none, then asked what action needed to be taken. Mr. Fontenot informed that the Notice of Intent for Toledo Bend, which would pull Caddo Lake out of these regulations, needed to be passed first, and then approval of the Notice of Intent for Caddo Lake. Commissioner Jenkins made a motion to accept the Notice of Intent for Toledo Bend and was seconded by Commissioner Mialjevich. This action passed unanimously. Then Commissioner Jenkins made a motion to accept the Notice of Intent

for black bass regulations on Caddo Lake and was seconded by Commissioner Mialjevich. This action also passed unanimously.

(The full text of the Notice of Intent on Toledo Bend Reciprocal Agreement is made a part of the record.)

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to amend the joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section 110. Toledo Bend Reciprocal Agreement

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at eight fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir. The possession limit shall be the same as the daily take on water and twice the daily take off water.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325(c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 14:548 (August 1988), Amended LR 17:278 (March 1991), Amended LR 17:1123 (November 1991), Amended LR 19: .

Interested persons may submit written comments of the proposed rule to Bennie Fontenot, Administrator, Inland Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, April 7, 1993.

Bert H. Jones
Chairman

(The full text of the Notice of Intent for Caddo Lake is made a part of the record.)

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to adopt the following rule on black bass (Micropterus spp.) in Caddo Lake located in Caddo Parish, Louisiana.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section 167. Black Bass Regulations, Caddo Lake

Harvest regulations for black bass (Micropterus spp.) on Caddo Lake located in Caddo Parish, Louisiana are as follows:

Size limit:	14 inch-17 inch slot
Daily take:	10 fish of which no more than 4 fish may exceed 17 inches maximum total length.
Possession limit:	On Water - Same as daily take. Off Water - Twice the daily take.

A 14-17 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (C), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 19:

Interested persons may submit written comments of the proposed rule to Bennie Fontenot, Administrator, Inland Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, April 7, 1993.

Bert H. Jones
Chairman

Final Ratification of Special Bait Dealer's Permit was given by Mr. Brandt Savoie. The Notice of Intent was issued back in the fall, and Marine Fisheries has received no comments and no changes have been made to the original Notice of Intent. Commissioner Mialjevich asked if there was a limit discussed on the daily catch, if there was a limit on the number of times a vessel could go out a day, if there were ever any violations, if there was a limit on the number of licenses issued or the number of permits issued for a bait shop, do their sales records compensate for the number of permits they have, how many years has this program existed, and if there are any problems, can this issue be brought back before the Commission? Then Commissioner Mialjevich requested that the program be watched closely and that he be kept informed of any violations that may occur in the future. He asked if there was a tow time limit, and if other live fish that could be used for bait could be kept. Chairman Jones asked for public comments and received none, then asked Mr. Savoie to read the Therefore Be It Resolved portion of the Resolution. Commissioner Jenkins moved to adopt the Resolution, seconded by Commissioner Mialjevich and passed unopposed.

(The full text of the Resolution and Rule is made a part of the record.)

RESOLUTION

RULES FOR THE SPECIAL BAIT DEALERS PERMITS

WHEREAS, the Special Bait Dealers Program is undergoing significant changes in this state, and

WHEREAS, the Louisiana State Legislature has authorized the Wildlife and Fisheries Commission to set the rules for the Special Bait Dealers Program.

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the final rule for the Special Bait Dealers Program.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate these regulations and the final rule.

BE IT FURTHER RESOLVED, that the complete contents of the final rule establishing regulations for the Special Bait Dealers Program is attached to and made part of this resolution.

Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), and R. S. 56:497(C), the Louisiana Wildlife and Fisheries Commission hereby adopts the rules and regulations for a special bait dealer's permit which will allow the taking of live bait shrimp by qualified permit holders during the closed season between the spring and fall shrimp seasons.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

Section 329. Special Bait Dealer's Permit

A. Policy

The special bait dealer's permit is intended solely for the benefit of the recreational fishing public which desires to use live shrimp as bait during the closed season between the spring and fall shrimp seasons. Its purpose is to allow the uninterrupted operation of those commercial establishments which sell live bait shrimp to the fishing public during the spring and fall shrimp season. The permit is not intended for the direct use of recreational fishermen, charter boats, commercial fishermen who sell dead shrimp, or for any other entity which may wish to catch shrimp for their own use during the closed season.

B. Application

1. Applications for the special bait dealer's permit will be accepted from January 1 through April 30 of each year. All applications should be mailed to the department via certified mail.

2. Applications will be accepted only from the owner of an existing business which sells or plans to sell live bait to recreational fishermen.

3. Applications must be made on forms provided by the department; all information requested must be provided before the application will be processed.

4. Applicants must show proof of having acquired all necessary licenses and permits before the permit will be issued. This includes, if relevant, boat registration, vessel license, gear license, commercial fishing licenses, and name of fisherman; wholesale/retail dealers license, state sales tax number, and a copy of the applicant's and the fisherman's valid drivers license. A background check for wildlife violations of the applicant and the fisherman will be made. Conviction of any Class II or greater wildlife violation may be grounds for denial of application.

5. Applicant must post a \$1,000 cash bond or surety bond before the permit is issued. If using a surety bond, these bonds must be issued through a bonding company or an insurance company. This bond will be forfeited if the permittee, his employee, or his contractor violates any provision of the rules and regulations concerning the special bait dealer's permit or if the permittee, his employee, or his contractor violates any commercial fishing law or regulation while operating under the permit. Property bonds are not acceptable.

6. Before the permit is issued an agent of the department must inspect the facilities of the applicant and verify that the applicant is operating a commercial establishment which sells live shrimp to the fishing public for use as bait, and that the applicant does have facilities to maintain live shrimp. Notice to the public must be posted that live bait shrimp are available for sale. The applicant must have onshore facilities, including tanks with a minimum capacity of 500 gallons, available to hold live shrimp. These tanks must have provisions for aeration and/or circulation of the water in which live shrimp are held prior to sale. In determining total tank capacity of onshore facilities, the agent shall not count any tank with a capacity of less than 50 gallons.

7. Only the applicant, his designated employee, or his contractor may operate under the permit. If the applicant has a contract with another party who will supply live bait shrimp to him, he must provide the department written evidence of the agreement. At the time of application, the applicant will specify who will be working under the permit. Should these persons change, the applicant will notify the department in the manner specified by the permit before the new vessel or persons operate under the permit. The permit is not transferrable to any other person or vessel without previous notification to the department in the manner specified by the permit. The entire original permit must be carried on the vessel while in operation.

8. Vessel operations under this permit shall be limited to areas specified by the permittee as stipulated in his application.

C. Operations

1. Only the vessel listed in the permit can be used with the permit. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp must be carried on or built into this vessel; it must be used for both taking and transporting the live shrimp. The vessel must have a minimum of one compartment or tank with a capacity of 50 gallons. No other vessel may be used under the permit. Signs which identify the vessel as working under the special bait dealer's permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.

2. Permitted gear is limited to one (1) trawl not to exceed 25 feet along the cork line 33 feet along the lead line. This is the only gear which can be used or carried aboard the permitted vessel while the vessel is operating under the permit; no other commercial fishing gear may be on the vessel when it is being used under permit.

3. No dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp and all other organisms caught while taking live bait shrimp must be immediately returned to the water. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 16 ounces in weight.

4. Bait shrimp may be taken only from sunrise to sunset; no night fishing is allowed under this permit.

5. The entire original permit must be in the possession of the person operating the vessel while it is engaged in taking shrimp under the terms of the permit.

6. Each time the permit is used the permittee must notify the department in the manner specified by the permit. Before the vessel departs the dock under the permit, the department must be advised of the time of departure and the general location in which trawling will take place; immediately after the permitted vessel returns to the dock the department must be notified of the time of return.

7. The permittee shall maintain an up-to-date record of the activities conducted under permit on forms provided by the Department for that purpose. These forms shall be available for inspection by agents of the department upon request by said agents. In addition, any agent of the department shall be allowed to make an on site inspection of any facilities operating under the permit,

at any time. Permittee will submit to the department, not later than September 1, the record of shrimp harvested under the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:497(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:210, (April 1977), amended LR 15:867 (October 1989), LR 19: (February 1993).

Bert H. Jones
Chairman

A Declaration of Emergency and Notice of Intent for Red Snapper was the next item discussed by Mr. Harry Blanchet. He reminded the Commission of a Declaration of Emergency was passed last month to delay the opening of the commercial red snapper season until February 16, 1993. The National Marine Fisheries Service has approved regulations for federal waters for the 1993 fishing year which include a red snapper endorsement. The Gulf Council has requested Louisiana to implement a rule which would be complimentary to federal waters. This rule is only for the 1993 calendar year.

Commissioner Jenkins asked why the Notice of Intent should have a date on it for the calendar year 1993, and if there is an expiration date, would you have to come back with a new rule? Commissioner Jenkins made a motion to accept the Declaration of Emergency, and to file the Notice of Intent on the red snapper fishery, and then read the Therefore Be It Resolved portion of the Resolution. This motion was seconded by Commissioner Schneider. Chairman Jones asked for public comments.

Mr. Allen Braud commented he was a crab fisherman and was thinking of getting into the red snapper fishery. He went to Fourchon and Leeville and noticed most of the fishermen were from Florida, Texas and Georgia and mentioned that Louisiana fishermen have not been able to fish red snapper for the past 3 years and thus can not get the red snapper endorsement.

Commissioner Jenkins commented that the red snapper rules for the EEZ are the same throughout the Gulf, and the Commission can not do much about people from other states coming to Louisiana and fishing. He added there are a number of federal rules and regulations that all have to follow which have been argued many times. Then he stated that the problem was, how can you take a limited number of fish and fix it to where the fishermen can make a living from it? Commissioner Cormier asked if there were any commercial fishermen in Louisiana that qualify for this endorsement, if the low number of fishermen from Louisiana is because of the moratorium on red snapper, and looking into the future, can more Louisiana commercial fishermen qualify?

Commissioner Jenkins stated that the National Marine Fisheries Service would probably end up with individual transferable quotas which will produce a very limited entry.

Mr. Ted Loupe informed Commissioner Cormier of the history behind red snapper, stating that Florida boats have been coming to Louisiana since before there were oil rigs in the Gulf. One of the biggest problem with the National Marine Fisheries Service has been with the landings from these boats from Florida unloading their catch in Florida. He then agreed with Commissioner Cormier that it will be hard for anyone from Louisiana to get a permit.

Commissioner Jenkins asked Mr. Loupe if he thought this was true for all the states in the Gulf, and not just Louisiana. Commissioner Mialjevich asked how much snapper fishery is in Louisiana territorial waters, if the people in the snapper business are satisfied, and then commented he felt the smaller boats were being discriminated against. Commissioner Mialjevich then asked if "for the 1993 year only" would be inserted. Chairman Jones asked where the insertion would be put. Commissioner Mialjevich remarked he would like to see it added because of convenience more than anything else. Commissioner Jenkins amended the original motion to include the 1993 year and was seconded by Commissioner Schneider. The motion passed unanimously.

(The full text of the Resolution, Declaration of Emergency and Notice of Intent is made a part of the record.)

RESOLUTION

COMMERCIAL TRIP LIMITS FOR RED SNAPPER

WHEREAS, red snapper are managed under the Federal Fishery Management Plan for the Reef Fishes of the Gulf of Mexico, and

WHEREAS, the Secretary of Commerce has approved emergency regulations establishing trip limits for the commercial harvest of red snapper in the Federal waters of the Gulf of Mexico, and

WHEREAS, the Gulf of Mexico Fishery Management Council is presently undertaking action to extend these regulations for Federal waters for the remainder of the 1993 fishing year, and

WHEREAS, the Gulf of Mexico Fishery Management Council and National Marine Fisheries Service have requested that the various Gulf states adopt regulations compatible with

those contained in the emergency regulations and proposed extensions, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission under the authority of R.S. 56:326.3 is empowered to set possession and daily take limits based on biological and technical data, and

WHEREAS, revisions to the existing rules are possible without jeopardizing the biological integrity of the affected stocks, and

WHEREAS, technical analyses by staff of the Gulf of Mexico Fishery Management Council has determined that the proposed measures will extend the length of the red snapper commercial season and provide benefits to the fishery,

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does adopt a Declaration of Emergency and express notice of intent to adopt permanent rules concerning commercial trip limits for red snapper in Louisiana waters.

BE IT FURTHER RESOLVED, that the complete contents of the Declaration of Emergency and Notice of Intent establishing commercial trip limits for red snapper are attached to and made part of this resolution.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate these regulations and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the Notice of Intent, and preparation of reports and correspondence to other agencies of government.

Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Secretary, Louisiana Department of Wildlife and Fisheries does hereby give notice of intent to promulgate a Rule establishing possession limits for commercial harvest of red snapper, as part

of the existing rule for daily take, possession, and size limits for reef fishes set by the Commission. Authority for adoption of this Rule is included in R.S.56:6(25)(a) and 56:326.3. Said Rule is attached to and made a part of this Notice of Intent.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

Section 335. Daily Take, Possession and Size Limits Set by Commission, Reef Fish

A. The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the harvest of snapper, grouper, sea basses, jewfish, and amberjack within and without Louisiana's territorial waters:

<u>Species</u>	<u>Recreational Bag Limits</u>
1. Red Snapper	7 fish per person per day
2. Queen, mutton, schoolmaster, blackfin, cubera, gray, dog, mahogany, silk, yellowtail snappers, and wenchman	10 fish per person per day (in aggregate)
3. All groupers	5 fish per person per day (in aggregate)
4. Greater amberjack	3 fish per person per day

B. All persons who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit.

C. A person subject to a bag limit may not possess during a single day, regardless of the number of trips or the duration of a trip, any reef fish in excess of the bag limits.

D. For charter vessels and headboats as defined in Federal Regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, there will be an allowance for up to two daily bag limits on multi-day trips provided the vessel has two licensed operators aboard as required by the U.S Coast Guard for trips of over 12 hours, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

E. Those persons possessing a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources, who do not possess a red snapper endorsement on that permit are limited to a daily take and possession limit of 200 (two hundred) pounds per vessel.

F. Those persons possessing a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources, who do possess a red snapper endorsement on that permit are limited to a daily take and possession limit of 2,000 (two thousand) pounds per vessel.

G. Paragraphs E and F above, are effective until midnight, December 31, 1993.

H. <u>Species</u>	<u>Minimum Size Limits</u>
1. Red Snapper	13 inches total length
2. Gray, mutton and yellowtail snapper	12 inches total length
3. Lane and vermillion snapper	8 inches total length
4. Red, gag, black, yellowfin and nassau grouper	20 inches total length
5. Jewfish	50 inches total length
6. Greater amberjack	28 inches fork length (recreational) 36 inches fork length (commercial)
7. Black seabass	8 inches total length

I. Federal regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, defines charter vessels and headboats as follows:

1. Charter vessel means a vessel whose operator is licensed by the U.S. Coast Guard to carry six or fewer paying passengers and whose passengers fish for a fee. A charter vessel with a permit to fish on a commercial quota for reef fish is under charter when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

2. Headboat means vessel whose operator is licensed by the U.S. Coast Guard to carry seven or more paying passengers and whose passengers fish for a fee. A headboat with a permit to fish on a commercial quota for reef fish is operating as a headboat when it

carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June, 1990), amended LR 19: .

Interested persons may submit written comments on the proposed rule to Harry Blanchet, Marine Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Monday, May 10, 1993.

Bert H. Jones
Chairman

Mr. Ron Dugas presented a Declaration of Emergency on Calcasieu Oyster Limits. A resolution was offered to raise the daily take for oyster fishermen on the public tonging reefs in Calcasieu Lake from 10 sacks to 15 sacks. Data from the stock assessment taken before the season opened found there was a tremendous supply in Calcasieu Lake. The fishing pressure and production has only been 1/3 of what it should have been, commented Mr. Dugas.

Commissioner Jenkins inquired if the grounds were private or public and what was the primary reason for production being low? Commissioner Vujnovich remarked that, with the price of oysters today, it does not pay for a person to go fish, and that the sales of oysters were down, just as was everything else. Then Commissioner Vujnovich made a motion to accept the Declaration of Emergency for the 1992-93 season, seconded by Commissioner Jenkins. Chairman Jones read the Therefore Be It Resolved portion of the Resolution and asked for public comments. None were received. The motion passed unanimously.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

RESOLUTION

CALCASIEU LAKE OYSTER SEASON

WHEREAS, the Department assessed the resource and there was an above average supply; and

WHEREAS, there has been a reduced amount of fishing pressure due to reduced oyster prices and public health closures; and

WHEREAS, because of the reassessment of the water quality data, the health department has issued new more restrictive closures; and

WHEREAS, Revised Statute 56:25(A) authorizes the Commission to regulate quota limits, and Revised Statute 56:435.1 allows the Commission to regulate both the season and daily quota limits because of health closures.

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission increases the daily quota limit from 10 sacks to 15 sacks per day for the Calcasieu Public Oyster Grounds for the remainder of the 1992-93 oyster season.

Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B) and 967, and under the authority of R.S. 56:25(A) and R.S. 56:435.1, notice is hereby given that the Wildlife and Fisheries Commission finds that imminent peril to the public welfare exists and hereby adopts the following emergency rule:

There will be an increase in the oyster fishing quota regulation from 10 daily sacks to 15 sacks allowed daily for Calcasieu Lake for the remainder of the 1992-93 oyster season.

Bert H. Jones
Chairman

Mr. Don Puckett began the discussion on Fossil Shell Extraction Lease for the Louisiana Dredging Company. Representatives of Louisiana Dredging Company approached the Department to request a reduction in the bond amount from \$2.4 million to \$1.6 million. Mr. Puckett introduced Mr. Richard Koen from Louisiana Dredging Company to answer questions from the Commission. Mr. Koen updated the Commission, saying that the first year has been completed and the \$800,000 minimum royalty has been paid. The new bond would be secured from a different company than where the present was from. This new company would be rated equal to or better than the present company. Commissioner Jenkins stated he had no problem with the request from Louisiana Dredging and moved the Commission approve the request. Commissioner Mialjevich

seconded the motion. Commissioner Gisclair wondered if the Company's intention was to come back next year and have the bond reduced to \$800,000. Chairman Jones reiterated the motion that was made and seconded and then called for a vote. The motion passed unanimously.

Civil Restitution and Class 1 Update computer printouts were provided by Ms. Wynnette Kees to the Commission. She pointed out that the report was very routine. The Department had assessed, for the month of January, about \$35,000 in civil assessments. Payments collected amounted to \$7,400, and the enforcement agents are using the new civil restitution books. Commissioner Jenkins inquired about the negative numbers on the report. Chairman Jones asked about the collection procedures. Commissioner Jenkins inquired on particular cases that the Commission had been following, then on the case in Winn Parish. He asked if civil restitutions had been made, then asked for a breakdown of the assessments on that case. Chairman Jones wondered if the redfish case had gone away, and then Commissioner Jenkins asked why the violator had never paid his assessment.

The **Monthly Law Enforcement Report for January** was given by Col. Winton Vidrine. The following numbers of citations were issued during the month of January.

Region I - Minden - 40 citations.

Region II - Monroe - 72 citations.

Region III - Alexandria - 64 citations.

Region IV - Ferriday - 87 citations.

Region V - Lake Charles - 177 citations.

Region VI - Opelousas - 105 citations.

Region VII - Baton Rouge - 448 citations.

Region VIII - New Orleans - 201 citations. Commissioner Mialjevich wondered why the 13 sacks of oysters were destroyed.

Region IX - Houma - 175 citations.

Oyster Strike Force - 45 citations. The Oyster Strike Force, Statewide Strike Force, Region VIII agents and the two offshore boats were sent to the Lake Borgne area because of complaints received. A total of 48 citations were issued in 2 days, 46 were from out-of-state and 2 were Louisiana residents, and 510 sacks of oysters were seized.

Statewide Strike Force - 63 citations.

Offshore Boats - 8 citations.

The grand total of citations issued statewide for the month of January was 1,285.

Commissioner Mialjevich wondered what area the 990 pounds of shrimp were seized from, were they residents or non-residents shrimping, and then requested that the North Shore of the Chandeleur Islands be watched closely. Finally, he asked how gill nets were licensed? Commissioner Vujnovich commented that he has seen gill netters tie three nets together, and wondered if it counted as one net. Then Commissioner Vujnovich thanked the Enforcement Division for the fast action taken on the oyster violations and requested this continue. Commissioner Jenkins asked if records on Operation Game Thief calls were kept, was it being utilized, and was anything being done to publicize the service? He then commented he would like to see if there was a way to get more people to use the service. Then Commissioner Jenkins requested a report be given periodically on the Operation Game Thief service, and inquired into the redfish interstate commerce case and the circumstances behind it, the Mississippi quota for redfish, does Louisiana keep track of the number of pounds of fish brought in from Mississippi, if the number of pounds hauled into Louisiana can be compared to Mississippi quota figures, and then commented that Mississippi would be closing their fishery based on Louisiana reportings. He suggested contacting Alabama and other states to find out how much fish have entered those states from Mississippi.

One last question from Commissioner Jenkins referred to the disposition of the Winn Parish case. Then Chairman Jones asked Secretary Herring if the resolution to the District Attorney was recognized as having been received and if the Department was satisfied with the way this case had been handled? He asked, can the D.A. assess fines or is a judge the only one that can assess fines, and what is a pre-trial intervention and where is it used? Commissioner Cormier gave a further explanation of what pre-trial intervention was and how it was used. Chairman Jones inquired what prosecuting a case like this would do to offenses down the road, and if it would have an affect on how many there would be down the road. Commissioner Cormier questioned if the Department was properly handling the case, evidence and etc., with Secretary Herring mentioning discrepancies being looked into. Chairman Jones remarked that a person from the Attorney General's office had already looked at the case and found it to be very prosecutable. The only problem that has occurred is it will not make its way to the judicial system. Chairman Jones then inquired, what would the first offense fines total for the 27 violations?

Commissioner Gisclair asked what was the intention of the chair as far as the agenda went? Commissioner Mialjevich turned

the discussion to the Operation Game Thief service and asked that the telephone number be distributed to the commercial industry. Chairman Jones felt that the Department had done a good job in citing violators and stressed the need for these cases to get to the judicial system.

Mr. Donald Kinnair, President of the Plaquemines Parish Oyster Association, commented on a problem in the Lake Borgne and Mississippi Sound area with Mississippi boats coming in and fishing the reefs and going back to Mississippi. Then he requested that enforcement keep putting the pressure on the Mississippi fishermen.

Mr. Al Sunseri, owner of an oyster dealership in New Orleans, asked if enforcement could help with the legality of the Mississippi dealers getting Louisiana oysters and bringing them back to Mississippi. A question was, do these fishermen have to abide by Louisiana rules? Clarification was needed as to exactly what the law reads. Mr. Sincere thanked the Enforcement Division for the help on the recent oyster case.

The Red Drum Report was the next topic and discussion began with Mr. John Roussel giving a brief history of the report. Section 6 of Title 56 and also House Concurrent Resolution 277 of 1991 requires the Commission report to the Legislature annually on the status of red drum. Three separate issues should be addressed: 1) biological condition profile and stock assessment; 2) the total allowable catch with probable allocations scenarios; and 3) a detailed explanation of whether or not gamefish status should be continued. The Department staff prepared a report for the Commission to consider in fulfilling this obligation. Then Mr. Roussel introduced Mr. Joey Shepard to review the stock assessment and the characterization of the current status of the stock. Mr. Joey Shepard began his presentation at this time explaining the graphs and charts that are in the report.

Commissioner Jenkins asked: Why purse seines could not cause particular age groups to be missing from the catch? If a purse seine could target a certain size fish? What does the decline in catch effort say for the years 1990 through 1992 and from 1987 through 1989? And, if the decline in 1988 through 1989 was due to the freeze? Commissioner Gisclair inquired if, in the years 1990 and 1991, the testing was more sophisticated. Commissioner Schneider questioned that, without actually sampling the offshore waters, there is no way to know which scenario is accurate. Commissioner Jenkins asked if the National Marine Fisheries Service was not going to do an assessment in 1993, and what was the difference between what the Department was recommending the National Marine Fisheries Service do and what will be done this year? Commissioner Jenkins then commented that the basic recommendation was no increase in current fishery mortality on red drum. Chairman Jones asked when the report was to be presented to the legislature.

Commissioner Jenkins asked if the report had peer review.

Mr. Roy Trahan asked if what Mr. Roussel was trying to say was that they do not have any more fish now than they had five years ago. Mr. Roussel advised that it was just the opposite, that there were many more fish and the recovery of the stock has been rapid. The uncertainty has been with where the Department was when the recovery started.

Commissioner Schneider stated, if we had not done anything, we would not have any fish, but asked if what we did do was worth it. Commissioner Jenkins stated that was the case in all fishery decline business. Chairman Jones asked for questions from the Commission. Commissioner Gisclair asked if the report to be submitted to the legislature had to have peer review.

Commissioner Mialjevich asked for an explanation to the statement, "if there was complete compliance with the current bag limit, an allocation of approximately 60,000 fish to the commercial fishery would be possible under Scenario 1 and approximately 125,000 fish under Scenario 2, without any change in the current daily bag limit". He then stated that, if the recreational bag limit was strictly enforced, there would be a harvestable amount of fish for the commercial industry.

Commissioner Jenkins asked about a recreational survey being conducted; if it was a federal survey, if the state had a current recreational survey, and if there were any plans for one in the future? He then proceeded to ask if, when they interview a fisherman, do they ask how many redfish he caught, how many he caught and killed or caught and released or just caught, and, when using these numbers, you are actually using fish that were caught and killed.

Commissioner Schneider asked why something was not done back in the 70's and then commented he wanted to be sure we did not have another crisis like we just went through or are going through. Commissioner Jenkins then asked, if the juvenile fish had been checked at that time, would you have known that they were gone? Commissioner Schneider questioned, in order to gain confidence, what exactly will need to be done, how much time elapses between the taking of the fish?

Chairman Jones asked for public comments.

Mr. Tee Roy Bourg said, if the sportfisherman would not get over the limit there would be enough for commercial fishermen to harvest, why not let the commercial fishermen catch the fish and make a living off of it?

Mr. Jim Bourge commented the only thing he requested was that the Commission take into account the provisions of Act 708, that anything that will be recommended should be in a fair and equitable manner to everybody.

An unidentified person stated that there was a need for a commercial fishery to prove the numbers of fish being caught. Then he added, why not have an allocation and check these fish and get your proper year classes?

Commissioner Mialjevich asked if fishermen would be allowed an allocation for commercial fishing and it was feasibly possible, would they be willing to take observers on the boats; did you read the report; wondered who did receive the report, and then asked if copies could be distributed to the people?

Chairman Jones commented the report was prepared for the Louisiana Wildlife and Fisheries Commission. Commissioner Jenkins stated that this was a Commission action, and until the Commission accepts the report, there is no report. Then he requested, in the future, getting this report a little earlier and commented the Commission should try to get the legislature to change the requirement from March 1st to April or May. Commissioner Schneider also commented the report was a lot better than last year and thanked the staff.

Commissioner Mialjevich requested that, in the future, someone provide the public with an opportunity to view pertinent documents that will be discussed before the meeting.

Mr. Henry Mouton commented about recreational fishermen exceeding the bag limit, stating that there will always be a few bad apples in every tree.

Mr. Roy Trahan remarked Mr. Mouton was right about the bad apples, but compared the differences in fines for recreational violators and commercial violators. He then asked the Commission to reach an agreement where both recreational and commercial fishermen could benefit.

Mr. Ted Loupe wondered how long it would take before the fish start affecting our crab and our shrimp industry if we allow these fish to keep coming. Commissioner Jenkins asked, if year's ago before anybody knew what a redfish was, and there apparently were a lot of redfish, do you think the redfish affected the shrimp and crab crops back then, when they were plentiful? Mr. Loupe responded he felt it did and then asked, if you get rid of all the commercial fishermen, what will happen with all the fish?

Commissioner Mialjevich inquired, what are the fish eating, has there been a study on how much shrimp or crabs these fish eat

per day, and if we are bordering on upsetting the balance of nature?

Commissioner Cormier commented he heard a redfish eats 1/2 of its weight in shrimp and crabs per day and then said that the public should have access to this information.

Mr. Dave LeJeune mentioned he has seen a 3 or 4 pound redfish with close to a pound of shrimp in it and felt the fish are eating a lot of the crab and shrimp.

Mr. Ted Loupe suggested asking for a limited commercial fishery of a couple hundred thousand pounds so the staff can better assess the stock. Commissioner Jenkins commented this fish was a gamefish and the Commission could not do that. Then Mr. Loupe asked the Commission to recommend to the legislature the removal of gamefish status. Commissioner Jenkins read what the law said and the portion of the report that pertains to gamefish status. Mr. Loupe again asked if the Commission could not recommend to the legislature to remove gamefish status. Commissioner Jenkins stated that the item could be put on an agenda for discussion.

Mr. Harry Brown from Cameron, Louisiana asked, if one fish was taken away from the recreational people and applied this fish to the commercial harvest, how many fish would there be? Then Mr. Brown continued with asking the Commission to consider the possibility of taking 2 fish from the recreational fisherman and giving these to the commercial fisherman, stating you would have about 300,000 fish.

Mr. Steve Keffe, Jr. a practicing CPA spoke next. Comments Mr. Keffe made were, in the future, put "Draft for discussion purposes only" on reports such as this one so it can be discussed; and the Commission does have the authority to recommend or not recommend that gamefish status remain. Then Mr. Keffe polled each Commission member as to his understanding of their authority.

Commissioner Jenkins advised that this was a public comment period, not a question and answer period.

Mr. Henry Truelove asked Mr. Herring about the status of the Marine Finfish Panel he was appointed to serve on. Then Mr. Truelove read a resolution which asked the Commission to direct the Department staff to develop a plan to implement a commercial harvest of red drum and to encourage the Legislature to adopt a resolution instructing the Department to implement this plan.

Commissioner Mialjevich asked if there was a need for somebody to make a motion to accept this? Commissioner Jenkins reminded Commissioner Mialjevich that this was public comment time.

Commissioner Jenkins made a motion to accept the Department's report as the Commission report and forward it on to the legislature before the March 1st deadline. Commissioner Schneider seconded the motion.

Chairman Jones asked for comments. Commissioner Gisclair requested to amend the motion that, along with sending the report, a recommendation be sent for the legislature to look at the gamefish status and perhaps change it from a gamefish status. Commissioner Mialjevich seconded the amended motion.

Commissioner Jenkins remarked that was not an agenda item, in his opinion. Commissioner Mialjevich stated it was in the report. Commissioner Jenkins stated it was not in the report; that making a recommendation on gamefish status has nothing to do with the agenda item.

Chairman Jones restated Commissioner Jenkins' motion that was on the floor and asked Commissioner Gisclair for his proposed amended motion. Commissioner Gisclair asked that the legislature reconsider the gamefish status of the redbfish. Chairman Jones felt that these motions appeared to be two different issues. Commissioner Gisclair commented it was in the report and was number 3 in the report.

Commissioner Jenkins asked Commissioner Gisclair, instead of submitting the report as proposed do we change the part of the report the Department made on gamefish status and ask the Legislature to reconsider gamefish status? Commissioner Gisclair remarked that the legislature should read the report as it is but also, the Commission should ask the legislature to consider changing the status of redbfish.

Chairman Jones asked Mr. Mike Landrum for his opinion on the motion and the amended motion. Mr. Landrum mentioned it sounded more like a substitute motion and then felt it was not a proper item on the agenda and to move forward would mean having to take other action. Commissioner Gisclair decided then to put it on the agenda for the next meeting.

Commissioner Mialjevich asked Mr. Landrum, if the Commission would ask the legislature not to change gamefish, but to look into the validity of it, and a commercial harvest, could that be tacked on to this report at a later date and made part of it? Then Commissioner Mialjevich asked, was there any way he could add into this report that the legislature look at specific items? Commissioner Mialjevich tried to understand Mr. Landrum by asking again that the report could not be changed or amended without public hearings or putting it on the agenda.

Chairman Jones called for the vote on the motion to approve the redfish plan to be presented to the legislature on the March 1st deadline. The motion passed unanimously.

Commissioner Mialjevich made a motion to second Commissioner Gisclair's request that the matter be put on as an agenda item at the next meeting and that it be heard early on in the meeting.

The **Secretary's Report** to the Commission was given by Secretary Herring as the next item on the agenda. The Information & Education Division completed the 1991-92 annual report for the legislature; the July-August Louisiana Conservationist magazine will have a photo contest with the theme of Native Louisiana Habitat. Five Hunter Education Workshops were held which certified 16 educators and 350 students. The Aquatic Education Workshop certified 20 educators and arranged for Caddo Parish schools to have the program presented to them. An increase of Louisiana Conservationist subscriptions by 425 occurred during January.

The Shrimp Task Force had completed a draft for the Governor. A forum on by-catch was held at Southwestern University and Mr. Corky Perret presented a paper on this subject there. Mr. Perret was attending another meeting this week and presenting a paper also. The newly designed oyster tags have been distributed. The Marine Lab had been utilized by U.S. Soil Conservation Service and LSU as well.

Fish stockings in the Atchafalaya Basin are continuing. To date stockings are; 7,305 bass, 1,375,000 bream, 141,000 catfish, and 5,000 crappie. The water hyacinth's sprayed during the month totalled 421 acres and, with the mild winters this year and in the past, these plants have not stopped growing and we are anticipating problems.

The staff has been attending meetings on the budget, and have been hearing of cuts for the 1993-94 year.

Commissioner Jenkins asked Secretary Herring about expenditures and a breakdown of the different programs that will be utilizing the finfish marine license money.

Commissioner Mialjevich inquired of Secretary Herring, if he was correct to assume that, when the Department writes a report for the Commission, comments are made by the Commission and public, and then the Commission can not make any changes, that it has to be 100% okay or 100% rejection. Secretary Herring advised the Department was required to give the Commission a report and it was up to the Commission to do what they want with the report.

Mike Landrum reminded Commissioner Mialjevich of the question posed, which was whether the issue of the Commission making a

recommendation to the legislature was properly on the agenda and stated it was not.

Commissioner Jenkins stated the Commission had been through this discussion already. Commissioner Mialjevich made a motion to include the resolution as part of the report and reopen it.

Secretary Herring asked if you could add something to the agenda by bringing it up and getting a majority vote of the Commission. Commissioner Gisclair informed that it was according to Roberts Rules of Order.

Commissioner Mialjevich made a motion to suspend the rules. Commissioner Vujnovich seconded the motion.

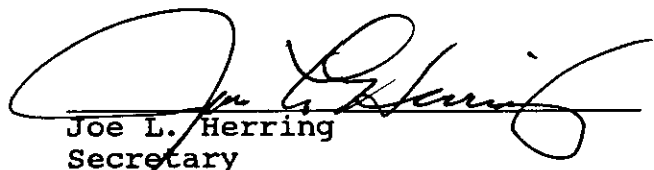
Commissioner Jenkins explained to Commissioner Cormier what Commissioner Mialjevich was trying to do.

Chairman Jones asked for a vote, by hand. Commissioner Vujnovich, Commissioner Mialjevich and Commissioner Gisclair raised their hands. Then Commissioner Jenkins stated it was not a two-thirds majority, and it would not be brought back up.

Chairman Jones called for **Public Comments**. Col. Vidrine handed out a report on Operation Game Thief, then Col. Charlie Clark read a resolution from the Louisiana Wildlife Agents Association.

Mr. Ted Loupe again asked why the Commission could not vote on having gamefish status removed from redfish so commercial fishermen could have a harvest and then mentioned there was no discussion at the meeting even though it was in the report.

Then Commissioner Jenkins made a motion to **Adjourn** the meeting and was seconded by Commissioner Schneider.


Joe L. Herring
Secretary

JLH:sch

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LA
February 4, 1993
10:00 AM

- March meeting →*
- ~~11.~~ Roll Call
 - ~~12.~~ Approval of Minutes of January 7, 1993
 - ~~13.~~ Aircraft Report - Lee Caubarreaux
 - ~~14.~~ Ratification of Alligator Harvest Regulations - Johnnie Tarver
 - ~~15.~~ Wild Louisiana Stamp - Information Only - Gary Lester
 - ~~16.~~ Notice of Intent for Black Bass Regulations on Caddo Lake - Bennie Fontenot
 - ~~17.~~ Notice of Intent on Toledo Bend Reciprocal Agreement - Bennie Fontenot
 - ~~18.~~ Ratification of Special Bait Dealer's Permit - Brandt Savoie
 - ~~19.~~ Declaration of Emergency and Notice of Intent - Red Snapper - Harry Blanchet
 - ~~20.~~ Declaration of Emergency on Calcasieu Oyster Limits - Ron Dugas
 - ~~21.~~ Red Drum Report - Harry Blanchet/Joey Shepard
 - ~~22.~~ Fossil Shell Extraction Lease - La. Dredging Company (Richard Koen)
 - ~~23.~~ Civil Restitution and Class 1 Update - Wynnette Kees
 - ~~24.~~ Monthly Law Enforcement Report/January - Winton Vidrine
 - 15. Secretary's Report to the Commission - Joe Herring
 - 16. Public Comments

COMMISSION MEETING
ROLL CALL

Thursday, February 4, 1993
Baton Rouge, LA
Wildlife and Fisheries Building

	Attended	Absent
Bert Jones (Chairman)	<u>✓</u>	—
Jimmy Jenkins	<u>✓</u>	—
Perry Gisclair	<u>✓</u>	—
Tee John Mialjevich	<u>✓</u>	—
Joseph Cormier	<u>✓</u>	—
Jeff Schneider	<u>✓</u>	—
Peter Vujnovich	<u>✓</u>	—

Mr. Chairman:

There are 7 Commissioners in attendance and we have a quorum.
Secretary Herring is also present.

*Draft
Correction made
2/16/93-
sch*

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, February 4, 1993

Chairman Bert H. Jones presiding.

James H. Jenkins, Jr.
Perry Gisclair
Joseph B. Cormier
Jeff Schneider
Pete Vujnovich
Tee John Mialjevich

Secretary Joe L. Herring was also present.

Chairman Jones called for a motion for approval of the January 7, 1993, **Commission Minutes**. A motion for approval was made by Commissioner Jenkins and seconded by Commissioner Vujnovich. The motion passed unanimously.

At this point, Chairman Jones introduced Commissioner Cormier who requested to speak to the audience and the Commission. Commissioner Cormier thanked everyone for a warm welcome received from the Commission and the Department. He further stated his philosophy to serve the State to the best of his ability, respect the perspective of the other Commission Members but would vote according to what is best for the State. He also recognized the importance of the environmental issues for recreational fishing and hunting activities and the commercial fishermen's need to make a fair living and hoped to balance the need of the two groups.

*AND SAID
HE WOULD*

The December **Aircraft Report** was presented by Mr. Lee Caubarreaux. This report showed that four pilots flew a total of 64.0 hours for the month; mentioned that the Aero Commander was being listed on the report at the Commission's request; then stated the estimated cost of \$9,667.02 and actual cost of \$11,807.95 for these aircraft. Also included in the report was a breakdown of the flights that occurred during the month. Then Mr. Caubarreaux asked for questions from the Commission for himself or Mr. Gene Rackle, Chief Pilot. Chairman Jones mentioned that it should not be hard to compute the dollar trade-out value for the Aero Commander when used by the Department. Commissioner Jenkins asked when figuring the cost for flying the planes, did it include salaries for flight personnel; if the flight personnel are included for their whole monthly cost or is it so much an hour for each plane; was the 210 airplane down for the month since there were no flights; what was the stranded porpoise flight. Chairman Jones asked about the woodcock survey being performed from an airplane. Commissioner Mialjevich inquired if the National Marine Fisheries

AND

Service paid for looking at the porpoise or if there was a reciprocal agreement between the two; if a report was made, and then requested seeing the results and findings, ^{He} and then mentioned that the Department would be taking planes to see if seagulls had broken legs and so forth and was curious of where this might lead to in the future. ^{He}

Final Ratification of the Alligator Harvest Regulations was presented by Mr. Johnnie Tarver. Mr. Tarver ~~informed~~ ^{stated} that the Alligator Harvest and Farm Rules were originally drafted in July, were revisited in September, and then working groups met on August 20 and September 20 to discuss these rules, resulting in an agreement. The industry has since made some more comments and these amendments to the original document are being suggested. The changes are in the wording to reflect more specifically what is being dealt with. The industry also has agreed upon the new amendments. Then, Mr. Tarver reminded the Commission that the U.S. Fish and Wildlife Service must accept the document and ~~then~~ requested adoption of the document by the Commission. Commissioner Schneider asked if a study on the survival rate between wild alligators hatchlings and the farm raised was still going on; and then asked if in another year there would be results from the study. ^o Commissioner Jenkins moved to ratify the Alligator Regulations. Chairman Jones ~~wondered~~ ^{asked} if the Enforcement Division had signed off on the document. Then Chairman Jones recognized Commissioner Jenkins motion for ratification. Commissioner Vujnovich seconded the motion. The motion passed unanimously. Chairman Jones asked for public comments and heard none.

(The full text of the Rule is made a part of the record.)

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission does hereby adopt a rule to amend the alligator regulations which govern the wild and farm alligator harvest. The alligator industry of Louisiana represents a renewable resource, valuable to the economy providing income to approximately 125 alligator farmers and in excess of 1,900 alligator hunters. The alligator farming program and the annual harvest of surplus wild and nuisance alligators is in keeping with wise wildlife management techniques based upon scientific research conducted by the Department of Wildlife and Fisheries.

The regulations governing the alligator harvest program and the alligator farming program are attached and may be viewed at the

Wildlife and Fisheries Headquarters, 2000 Quail Drive, Baton Rouge, LA, phone: (504) 765-2812.

Title 76

Wildlife and Fisheries

Part V. Wild Quadrupeds and Wild Birds

Chapter 7. Alligators

Section 701. Alligator Regulations

The Department of Wildlife and Fisheries does hereby establish regulations governing the harvest of wild populations of alligators and alligator eggs, raising and propagation of farmed alligators tanning of skins and regulations governing the selling of hides, alligator parts and farm raised alligators. The administrative responsibility for these alligator programs shall rest with the Department Secretary; the Assistant Secretary, Office of Wildlife; and the Fur and Refuge Division.

A. Purpose.

These regulations are to govern the taking, possession, selling, raising and propagation of alligators statewide, both in the wild and in captivity. They are enacted to prevent depletion or waste, while enhancing utilization of this renewable resource. These regulations are based upon scientific study and population monitoring and are consistent with federal requirements to qualify alligators and alligator parts from Louisiana for international export under the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Alligators in Louisiana are not endangered but their similarity of appearance to endangered crocodilian species requires controls on commerce to minimize illegal trafficking of these species and to regulate and maintain the wild population of alligators. These regulations provide rules to enhance alligator farming operations; establish the methods of alligator harvest; establish minimum facility requirements for alligator farming; regulate commerce in alligators, eggs and parts; streamline necessary reporting requirements; and, establish a regulated nuisance alligator control program.

B. Definitions.

The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning:

1. Alligator - American alligator (Alligator mississippiensis).

2. Alligator Egg Collection Permit - A permit issued by the Department allowing for the collection of alligator eggs on designated properties described as part of the permit. The permit will be signed by the Secretary or his designee, the permittee and the landowner/land manager.

3. Alligator Farm (nongame quadruped) - An enclosed area, constructed so as to prevent the ingress and egress of alligators from surrounding public or private lands or waters and meeting other specifications and requirements set by the Department, where alligators are bred, propagated, or raised as a commercial enterprise under controlled conditions. "Alligator Farm" also includes alligator ranching wherein eggs are collected from the wild, and raised, pursuant to departmental license or permit.

4. Alligator Farmer - A properly licensed person who raises alligators under controlled conditions which prohibit free movement of the animals onto and off of the farm or controlled area, or who collects and sells wild alligator eggs, and who may harvest alligators under the supervision of the Department. An alligator farmer must possess a valid nongame quadruped breeder's license.

5. Alligator Hide Tag - An official CITES serially numbered tag issued by the Department.

6. Alligator Hunter - A properly licensed resident or nonresident person who takes wild alligators. Resident hunters are divided into four classes:

(a) Commercial - Anyone who is licensed by the Department to take wild alligators after having filed application(s) approved by the Department which authorize the issuance of alligator hide tags to him.

(b) Helper - Anyone who is licensed by the Department to assist a commercial hunter during alligator harvest activities; alligator hide tags cannot be issued to a helper license holder.

(c) Sport - Anyone who is licensed by the Department and guided by a commercial hunter during alligator harvest activities; alligator hide tags cannot be issued to a sport license holder.

(d) Nuisance - A licensed alligator hunter who is contracted or otherwise selected by the Department to remove designated nuisance alligators and who can be assigned alligator hide tags by the Department.

7. Alligator Part - Any part of the carcass of an alligator, except the hide and includes the bony dorsum plates, if detached from the tagged alligator hide.

8. Alligator Parts Dealer - Any properly licensed person who deals in alligator parts other than hides and who:

(a) Buys unprocessed alligator parts from an alligator hunter, another parts dealer, or an alligator farmer for the purpose of resale; or

(b) Manufactures within the state non-edible alligator parts into a finished product; or

(c) Purchases unprocessed alligator meat or processes alligator meat for wholesale or retail sale.

9. Alligator Parts Retailer - Any properly licensed person who purchases for retail sale finished alligator parts made from parts other than hides.

10. Alligator Shipping Label - A serially numbered green label issued by the Department required on each shipment of alligators being transported out of the state.

11. Bona Fide Resident (1) - Any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile, as demonstrated with all of the following, as applicable:

(a) If registered to vote, he is registered to vote in Louisiana.

(b) If licensed to drive a motor vehicle, he is in possession of a Louisiana driver's license.

(c) If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.

(d) If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

(2) As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the officers, partners, or employees are domiciled in Louisiana.

12. Closed Season - That period of time of a calendar year not specifically included in the open season.

13. Commission - The Louisiana Wildlife and Fisheries Commission.

14. Common Carrier - Any agency or person transporting passengers or property of any description for hire.

15. Confiscation - The exercise of a right under the police power wherein property is seized and held pending court order if the seized material is nonperishable, or disposed of without judicial intervention if perishable.

16. Consumer - Restaurants and other places where alligator, fish, shrimp, or other aquatic life is prepared for human consumption; or any person using alligator, fish, shrimp, or other aquatic life for bait or personal consumption.

17. Department - The Louisiana Department of Wildlife and Fisheries.

18. Designated Collection Agent - Anyone who is permitted by the Department to assist an alligator egg collection permittee during alligator egg collection.

19. Dressing, Dressed Skins or Dressed Furs - (See "Tanning").

20. Finished Alligator Part - Any non-edible alligator part that has been completely processed from parts other than hides for retail sale.

21. Fur Buyer - Anyone who buys whole nongame quadrupeds for the purpose of pelting, carcasses of fur bearing animals, raw furs or skins from fur trappers, alligator hunters, alligator farmers, fur buyers, or fur dealers and who sells to another fur buyer or fur dealer within the confines of the state or to a nonresident fur dealer licensed by the State of Louisiana in interstate commerce, or who acts as an agent of another fur buyer or fur dealer in this state in such purchase or sale. Fur buyers are divided into two classes, resident and nonresident. Resident fur buyers are those who are bona fide residents of this state. All others are nonresident fur buyers.

22. Fur Dealer - Anyone who deals in whole nongame quadrupeds for the purpose of pelting, carcasses of fur bearing animals, raw furs and skins and who:

(a) Buys from a fur trapper, alligator hunter, or alligator farmer, either directly or indirectly, and ships or exports from this state, either directly or indirectly, the raw furs and skins so bought; or

(b) Buys from a fur buyer or other fur dealer and exports from this state the raw furs and skins so bought; or

(c) Buys from a fur trapper, alligator hunter, alligator farmer, fur buyer, or other dealer and sells such raw furs and skins for manufacturing into a finished product in this state; or

(d) Manufactures such furs and skins into a finished product in this state, buying directly from a fur trapper, alligator hunter, alligator farmer, fur buyer, or fur dealer; or

(e) Transports raw furs or skins into this state for the purpose of sale within the state. Fur dealers are divided into two classes, resident and nonresident. Resident fur dealers are those who are bona fide residents of this state. All others are nonresident fur dealers.

(f) Converts raw alligator skins through the tanning process into finished or partially finished leather and/or converts raw (green or dried) fur pelts into dressed furs ready for manufacturing.

23. Hatchling - A young of the year alligator which is less than twenty three (23) inches in length.

24. Hide - (See "Pelt").

25. Hook - Any curved or bent device attached to a line or pole for the purpose of taking alligators.

26. Hunt - In different tenses, attempting to take.

27. Incubator - An apparatus designed and used for the primary purpose of incubating alligator eggs.

28. Land Manager - Any authorized person who represents the landowner.

29. Landowner - Any person who owns land which the Department has designated as alligator habitat.

30. Licensee - Any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.

31. Nongame Quadruped - Alligators, beavers, bobcats, coyotes, gray foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks, and other wild quadrupeds valuable for their furs or skins.

32. Nongame Quadruped Breeder - A person properly licensed to engage in the business of raising, exhibiting and selling nongame quadrupeds on alligator or fur farms.

33. Nongame Quadruped Exhibitor - A person properly licensed to engage in the business of raising and/or exhibiting nongame quadrupeds.

34. Nonresident - Any person who is not a bona fide resident as that term is defined by R.S. 56:8(12).

35. Nuisance Alligator - A specific (particular) alligator that poses a threat to human life or property.

36. Open Season - That period of time set by the Louisiana Wildlife and Fisheries Commission, during which wild alligators or their eggs may be lawfully taken.

37. Out-of-State Shipping Seal - A special locking device or seal supplied by the Department and placed on or across a shipping container by Department personnel prior to shipping out-of-state.

38. Out-Of-State Shipping Tag - An official, serially numbered tag, yellow in color, issued by the Department required on each shipment of alligator hides shipped out of state.

39. Part - For purposes of this section, a part is a division of a subsection.

40. Pelt - The skin or hide of a quadruped.

41. Pelting - Removing the skin and/or fur of a quadruped in such a manner as to render it marketable.

42. Person - Includes any individual person, association, corporation, partnership, or other legal entity recognized by law.

43. Pole Hunting - The act of taking an alligator from a den with a hook pole or snagging device of any type and includes using such devices to induce an alligator to move from a den prior to taking.

44. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, or holding as owner, or as agent, bailee, or custodian for another.

45. Processed Alligator Part - Any part (and its resulting products) that has been removed from a legally taken alligator and for commercial purposes converted into a finished alligator part, or meat prepared and packaged for retail sale.

46. Propagation - The holding of live alligators for production of offspring.

47. Raising - The production of alligators under controlled environmental conditions or in outside facilities.

48. Rearing - (See "Raising").

49. Resident - (See "Bona Fide Resident").

50. Secretary - The secretary of the Louisiana Department of Wildlife and Fisheries.

51. Skin - (See "Pelt").

52. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

53. Tanning - The conversion of alligator skins or fur pelts into an intermediate or finished form and includes the following: crust tanning alligator leather, dyeing alligator leather, glazing alligator leather, tanning fur pelts, shearing fur pelts, and dyeing fur pelts, and includes the dressing of skins and furs.

54. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

55. Wildlife - All species of wild vertebrates.

56. Wildlife Management Area - Any area set aside, maintained, and supervised by the Department for the purpose of managing and harvesting wild birds, wild quadrupeds, fish and other aquatic life under controlled conditions to afford maximum public hunting and fishing opportunity.

57. Wildlife Refuge - Any area set aside and designated by the Department as a refuge on which wild birds and animals are protected. Control of certain forms of wildlife may be conducted by the Department.

C. General Rules.

1. No person shall take, possess, purchase or sell alligators, alligator eggs, alligator hides, alligator parts, or goods manufactured from alligators, except as provided in these regulations and LA. R.S. Title 56.

2. Each alligator, alligator hide, alligator egg, or alligator part taken or possessed in violation of these regulations shall constitute a separate offense.

3. Alligators or hides of alligators harvested in Louisiana shall be tagged in accordance with provisions as prescribed in Sec. F, paragraph 5 of these regulations and deviation from those

requirements shall be a violation and subject hides to confiscation. Violation of this part is a class 4 violation as described in Title 56.

4. Pole Hunting is prohibited. It is legal for a hunter to retrieve a shot alligator with a hook pole or to retrieve with a hook pole an alligator taken on a hook and line. Violation of this part is a class 2 violation as described in Title 56.

5. An alligator hunter must possess on his person one or more current alligator hide tags issued for the property on which he is hunting; and if participating in a joint hunting operation at least one licensed hunter needs to possess current hide tags issued for the property on which they are hunting among a group of licensed hunters who are physically present in the same location. Violation of this part is a class 2 violation as described in Title 56.

6. No person shall release any alligator from any taking device for any purpose without first dispatching the alligator. After the alligator is removed from the taking device the hide tag shall be properly attached immediately upon possession. Violation of this part is a class 4 violation as described in Title 56.

7. Taking or collection of any wild alligator illegally is strictly prohibited. Violation of this part is a Class 4 violation for each alligator taken as described in Title 56. All alligators taken in violation of this part shall be confiscated and in addition to all other penalties provided herein, all alligator licenses of any type held by the offender(s) shall be revoked for a period of three (3) calendar years. If violation(s) of this part involves a farm operation, no alligators shall be raised or propagated on the offender's facilities for a period of three (3) calendar years. Any live alligator(s) confiscated pertinent to any violation of this part must be returned to the wild when appropriate. Selection of the release site and time of year of the release shall be accomplished only after consultation with and in agreement with biological staff of Fur and Refuge Division.

8. The shipment of alligator eggs out of state is prohibited except where special scientific permits have been obtained in advance from the Department which specify all such shipments. Violation of this part is a class 4 violation as described in Title 56.

9. Transportation of alligator(s) into this state without prior written approval of the Department is strictly prohibited. Violation of this part is a class 4 violation as described in Title 56.

10. It is unlawful to ship alligator eggs into the State of Louisiana unless they are to be used for Department sponsored scientific studies and these shipments shall have prior written

Department approval. Violation of this part is a class 4 violation as described in Title 56.

11. The shipment of live alligators or alligator eggs out of the United States is strictly prohibited unless they are used for Department sponsored scientific studies with an accompanying authorization signed by the Secretary. The transfer of ownership of live alligators out of their natural range for commercial purposes is strictly prohibited. However, this part does not prohibit a licensed Louisiana alligator farm from raising alligators of Louisiana origin in a non-range state provided the non-range farm is in complete compliance with all applicable state(s) and federal regulations. Violation of this part is a class 3 violation as described in Title 56.

12. There is levied a severance tax of twenty-five cents on each alligator hide taken from within the state, payable to the state through the Department by the alligator hunter or alligator farmer shipping or taking his own catch out of state, or by the dealer shipping skins or hides out of state or tanning alligator skins in Louisiana. Violation of this part is a class 2 violation as described in Title 56.

13. An alligator hunter or alligator farmer may give alligator parts to anyone for personal use. Any part of an alligator shall have affixed thereto the name, address, date, hide tag number, and the license number of the person donating the alligator part(s). This information shall be legibly written in pen or pencil on any piece of paper or cardboard or any material which is attached to the part(s) or to the container enclosing the part or parts. This information must remain affixed until the part(s) has been stored at the domicile of the possessor. Violation of this part is a class 2 violation as described in Title 56.

14. A. R.S. 56:280, passed in the regular session of the 1992 Louisiana Legislature established a state policy which protects white or albino alligators and except under department permit prohibits the taking of white or albino alligators from the wild.

B. Conditions under which any alligator that is white or albino may be taken from the wild and under official department permit include:

1. Landowners or licensed alligator farmers or ranching operators may capture live and unharmed a white or albino alligator for its own protection. All such instances of possession shall be reported immediately to the Department.

2. Any white or albino alligator hatchling produced from wild collected eggs authorized by a Department Alligator Egg Collection Permit will remain in the possession of such licensed operators. Any white or albino hatchling must be reported

immediately upon hatching to the Department on a standard activity report form.

3. Any person who unintentionally takes from the wild any alligator that is white or albino by hook and line shall immediately report its presence and location to the Department. Department personnel of the Fur & Refuge Division will on a case by case basis determine the disposition of any such white or albino alligator which is unintentionally hooked.

C. Any white or albino hatchling produced from a licensed breeding pen will remain in the possession of such licensed operators but must be reported immediately upon hatching to the Department on a standard activity report.

D. It shall be a violation if any person intentionally takes from the wild any alligator that is white or albino by any means.

E. Violation of R.S. 56:280 shall subject the violator to a fine of not less than ten thousand dollars and imprisonment for not less than six months or more than 12 months, or both.

15. Alligator meat and parts may be shipped in containers that are sealed and the parts identified to the CITIES tag of origin. A fully executed alligator hunter, farmer, or parts dealer Alligator Parts Sale or Transaction form shall meet the U.S. Fish and Wildlife Service parts identification requirements, provided such form(s) is/are prominently attached to the outside of each shipping container. Alligator meat/parts shipped to another state must meet applicable state/federal requirements of the receiving state. Alligator meat/parts exported from the United States must meet the requirements of the U.S. Fish and Wildlife Service as well as those of the receiving country. Alligator skulls being exported shall carry a "tag" containing the CITIES tag number and the hunter's name and license number. The skull must also be physically marked with the number of the original CITIES tag used for the hide of the individual alligator. Violation of this part is a class 3 violation as described in Title 56.

D. Licenses, Permits and Fees.

1. The licenses and fees required for activities authorized by these regulations are as prescribed under provisions of Title 56, or as prescribed in these regulations, and are:

(a) \$25 for a resident alligator hunter's license; including commercial, helper, sport, and nuisance types.

(b) \$150 for a nonresident alligator hunter's license

(c) \$25 for a resident fur buyer's license;

- (d) \$100 for a nonresident fur buyer's license;
- (e) \$150 for a resident fur dealer's license (\$500 deposit required);
- (f) \$300 for a nonresident fur dealer's license (\$1,000 deposit required);
- (g) \$10 for a nongame quadruped exhibitor's license;
- (h) \$25 for a nongame quadruped breeder's license;
- (i) \$50 for a alligator parts dealer license;
- (j) \$5 for a alligator parts retailer license;
- (k) \$4 for each alligator hide tag;
- (l) \$4 for each whole alligator leaving the state as alligator shipping label fee;
- (m) \$0.25 severance tax for each alligator hide taken from within the state;
- (n) \$25 for a Designated Agent Collection Permit.

All license types prescribed above except nongame quadruped exhibitor and breeder expire annually on June 30. Nongame quadruped exhibitor and breeder licenses expire annually on December 31.

2. No person may take, attempt to take, or possess a wild alligator in this state during the open season for taking wild alligators unless he or she has acquired and possesses an alligator hunter's license. An alligator hunter must have in possession a valid alligator hunter license to take or sell alligators, their skins, or parts. Violation of this part is a class 3 violation as described in Title 56.

3. No person may engage in the business of buying and selling alligators or alligator skins unless he has acquired a resident or nonresident fur buyer's license. No resident or nonresident fur buyer shall ship furs, alligators, or alligator skins out of state. Violation of this part is a class 3 violation as described in Title 56.

4. No person may engage in the business of buying and selling alligator or alligator skins or shipping alligator skins out of state or tanning alligator skins within the state unless he has acquired a resident or nonresident fur dealers license. Violation of this part is a class 3 violation.

5. No person may engage in the business of raising and/or exhibiting alligators unless he or she has acquired and possesses a valid nongame quadruped exhibitor license. Violation of this part is a class 3 violation as described in Title 56.

6. No person may engage in the business of raising, breeding, collecting and selling alligator eggs from the wild, propagating, exhibiting and selling alligators alive or selling their parts, and killing and transporting them and selling their skins and carcasses unless he or she has acquired and possesses a valid nongame quadruped breeder license and complies with Subsections N and O of these regulations. Violation of this part is a class 3 violation as described in Title 56.

7. No person shall engage in the business of buying and selling unprocessed alligator parts unless he has acquired and possesses a valid alligator parts dealer license. Violation of this part is a class 2 violation as described in Title 56.

8. Each retailer purchasing for retail sale, finished alligator parts made from parts other than hides, shall secure from the department an alligator parts retailer license prior to commencing business. Violation of this part is a class 2 violation as described in Title 56.

9. No person shall remove and possess alligator eggs from wild nests unless he has acquired and possesses a valid nongame quadruped breeder license or a valid Designated Agent Collection Permit and also has in his possession a valid alligator egg collection permit. Egg collection permits will only be issued to those persons who demonstrate competency in egg collection and handling, have necessary equipment accessible and comply with all Department requirements as described in Subsection N of these regulations. Violation of this part is a class 4 violation as described in Title 56.

10. No person shall ship or transport alligators out of the state without first applying for and receiving an alligator shipping label which shall be affixed to each shipment of alligators and is properly completed and validated by Department personnel. Violation of this part is a class 3 violation as described in Title 56.

11. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the severance tax prior to shipment. Violation of this part is a class 2 violation as described in Title 56.

12. Valid holders of alligator hunter license, nongame quadruped breeder license, fur dealers license and alligator parts

dealer license must comply with the receiving state/country requirements and with federal licensing, tagging and permit requirements to engage in interstate and international commerce involving alligators, alligator hides, alligator parts and fully manufactured alligator hide products. Violation of this part is a class 2 violation as described in Title 56.

E. Wild Harvest Methods.

1. Alligators taken from the wild may be removed from hook and line, and other legal capture devices which may be used, only during daylight hours, between official sunrise and official sunset. Violation of this part is a class 4 violation as described in Title 56.

2. There are no size restrictions on wild alligators taken during the general open season.

3. Legal methods for taking alligators in the wild are as follows:

- (a) Hook and line;
- (b) Long (including compound) bow and barbed arrow; and
- (c) Firearms.

Violation of this part is a class 2 violation as described in Title 56.

4. Hooks and arrows may be used only when a line of at least 300-pound test is securely attached to the hook or head of the arrow in such a manner to prevent separation from the hook or head until the carcass is retrieved. The other end of the line must be attached to a stationary or floating object capable of maintaining the line above water when an alligator is attached. Violation of this part is a class 2 violation as described in Title 56.

5. Alligator hunters shall inspect their hooks and lines and remove captured alligators daily. Alligators shall not be cut loose from hooks and lines for the purpose of selecting larger alligators. All hooks and lines shall be removed when an alligator hunter's quota is reached. In the event an alligator is hooked and the hunter's quota has been reached the hunter must release the alligator in the most humane method possible. Violation of this part is a class 2 violation as described in Title 56.

6. Baited hooks and lines may be set no more than 24 hours prior to the general open season and shall be removed no later than sunset of the last day of the open season. Violation of this part is a class 2 violation as described in Title 56.

7. No person possessing alligator hide tags issued for privately-owned land or water may take alligators on adjacent

publicly-owned water unless the taking device is anchored to privately-owned land or the person is on privately-owned land when the taking occurs, provided that any alligator captured on a legal taking device that is anchored to privately-owned land or held by a person on privately-owned land may be dispatched from a floating craft on public water. Violation of this part is a class 2 violation as described in Title 56.

8. A person possessing alligator hide tags for publicly-owned areas may take alligators by legal means from a floating craft on public water for which the tags are issued.

F. Alligator Hide Tag Procurement and Tagging Requirements.

1. Alligator hide tags may be obtained as follows and only to properly licensed alligator hunters and nongame quadruped breeders.

2. Landowners, Land Managers and Hunters - upon application to the Department on forms provided for tag issuance. Applications for alligator tag allotments will be taken annually beginning August 1 and ending 10 days after the season opens. Tags will not be issued after the 10th day following the season opening date.

(a) Maximum tag issuance to individual landowners, land managers, or their hunters shall be determined solely by the Department. Landowners, land managers, or their hunters shall certify total acreage owned or represented on a form prescribed by the Department at the time of application. The location and acreage of the property must be provided which includes parish, township, range and section delineation figures.

(b) Land managers and hunters must present a notarized document from the landowner verifying their selection to represent that landowner and the total acreage represented to obtain hide tags.

(c) Payment for all alligator tags shall be received by the Department prior to issuance. Numbered alligator hide tags shall only be issued in the name of the license holder and are nontransferable. A refund will be issued for all unused alligator tags which are returned within 15 days following the close of the season.

3. Alligator farmers - upon request and receipt of payment to the Department at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by Department personnel. A refund will be issued for all unused alligator tags returned to the Department within 15 days following the last day of the year that issued tags are valid.

4. If an alligator hunter is cited for hunting alligators out of season, or at night, or on property other than that for which

hide tags were issued, all unused hide tags and alligators in possession shall be confiscated and the violator's alligator hunting license shall be revoked. Violation of this part is a class 4 violation as described in Title 56.

5. A hide tag shall be properly attached and locked using the tag's locking device in the alligator's tail immediately upon possession by an alligator hunter. Alligator farmers, fur buyers and fur dealers may wait until farm raised alligators are skinned prior to tagging, but under no circumstances can the tag be attached using the locking device more than 48 hours after dispatching the alligator. Live or dead farm raised alligators may be transported with their accompanying tags from a licensed alligator farm to a licensed processing facility, however each shipment shall be accompanied with the exact number of alligator hide tags. In the event that an alligator tag contains a factory defect rendering it unusable for the purpose intended or becomes detached from an alligator or hide, the tag must be reattached to the tail of the alligator/hide. The Department will be responsible for the replacement of reattached tags prior to shipping out-of-state or prior to tanning within the state. It shall be unlawful to tag or attempt to tag an alligator with a tag that has been locked prior to the taking. Locked tags may be replaced upon request at the discretion of the Department. The alteration of hide tags is strictly prohibited and will result in the confiscation of all tags and alligators/hides and the revocation of the violator's alligator hunting license. Violation of this part is a class 4 violation as described in Title 56.

6. In the event that an alligator hide tag cannot be located when in the possession of a Buyer/Dealer, then the following procedure shall be followed:

(a) Following discovery of an untagged alligator or alligator hide by the Buyer/Dealer, they shall notify the Department of Wildlife & Fisheries, Fur & Refuge Division within 24 hours and the Department of Wildlife & Fisheries will place a state tagging device on the alligator or alligator hide.

(b) Upon discovery of an untagged alligator or alligator hide by Department of Wildlife & Fisheries personnel, such personnel shall place a state tagging device on the alligator or alligator hide.

(c) The State tagged alligator or alligator hide will remain in the possession of the Buyer/Dealer following the placement of the State tagging device until such time as the hide tag is located or until December 31st of that year, whichever comes first. Upon presentation of the missing hide tag and the corresponding Buyer/Dealer record which documents a match between the tag number and the alligator/hide being held, and if the Department of Wildlife and Fisheries then confirms that such tag

number has not been previously shipped, the Department of Wildlife and Fisheries shall attach a replacement alligator hide tag.

(d) If the Buyer/Dealer does not locate the missing hide tag following the placement of the State tagging device by the end of the allotted time period but is able to identify the tag number on a Department of Wildlife & Fisheries issued or approved Buyer/Dealer record which documents a match between the tag number and the skin being held, and if the Department of Wildlife & Fisheries then confirms that subject tag number has not been previously shipped, the Department of Wildlife & Fisheries may, in its discretion, issue a replacement alligator hide tag.

(e) The failure of the Buyer/Dealer to produce the correct hide tag and/or correct documentation by the end of the allotted time period shall constitute a violation of this part.

(f) The previous or subsequent attachment to an alligator or alligator hide of the missing hide tag as described above shall constitute a violation of this part.

(g) Violation of this part is a Class 4 violation as described in Title 56.

G. Open Season, Open Areas, and Quotas.

1. Open seasons are as follows:

(a) The general open season for taking alligators in the wild may be established annually by the Commission at their regular July meeting. The Secretary shall be authorized to close, extend, delay, or reopen the season as biologically justifiable.

(b) Nuisance control hunters may take nuisance alligators at any time as prescribed by the Department.

(c) Farm raised alligators may be taken at any time following the issuance of hide tags by the Department.

(d) The open season for collection of alligator eggs from the wild shall be from May 15 through September 1 of each calendar year. Violation of this subpart is a class 4 violation as described in Title 56.

2. The open areas are as follows:

(a) For the general open season, those areas designated by the biological staff of the Department as alligator habitat and which can sustain an alligator harvest.

(b) The Department may select public lakes and lands for an experimental alligator hunting program. The harvest will be

controlled by a tag allotment for each lake as determined by Department personnel. Applicants for public lake hunting must be 16 years of age or older. Applications must be received at least 10 days prior to the season opening date. A public drawing will be held to select hunters. An alligator hunter can receive tags for and hunt on only one public lake per season. The tag quota for each lake and hunter will be established by the biological staff of the Department. Alligator tags issued on public lakes and lands are nontransferable.

(c) Wild alligators in the remainder of the state may be taken only under provisions as prescribed by the Department.

(d) The open alligator egg collection season shall be those areas designated by the biological staff of the Department as alligator habitat which can sustain an egg collection harvest and egg quotas will be determined by Department biologists.

3. The daily and season quota is equal to the number of valid alligator hide tags that a licensed alligator hunter possesses. Violation of this part is a class 4 violation as described in Title 56.

4. Non resident alligator hunters may only take three (3) alligators during the open season. Violation of this part is a class 3 violation as described in Title 56.

5. Harvest rates will be calculated annually by Department personnel based on biological data. Alligator hide tag allotments will be established prior to issuance of alligator hunting licenses.

H. Possession.

1. No person shall possess alligators or alligator hides in Louisiana without valid official tags properly attached in the tail using the locking device as prescribed in Section F, paragraph 5. Violation of this part is a class 4 violation as described in Title 56.

2. Alligator farmers may request hide tags or shipping labels from the Department to be used on farm-raised alligators that have died and may hold those alligators in freezers until receipt of the requested hide tags or shipping labels. These alligators may be held in freezers for a maximum of 60 days prior to disposal. All alligators 24 inches and greater in length that die may be skinned and tagged with an alligator hide tag within 48 hours of death. Violation of this part is a class 3 violation as described in Title 56.

3. No person other than a licensed alligator hunter, licensed alligator farmer, licensed fur buyer or licensed fur dealer may

possess a tagged or labeled alligator, a tagged raw or salted hide of an alligator at any time, provided that legally documented tagged or labeled alligators or tagged hides may be possessed without license while in transit, or during processing for tanning or taxidermy. However, properly tagged and documented alligators or hides may be stored at any location at the owner's discretion. Violation of this part is a class 4 violation as described in Title 56.

4. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess live alligators at any time other than by a permit issued by the Department upon request for use in displays and educational purposes, and by holders of valid Department issued permits for scientific purposes. Live, farm raised alligators and their accompanying alligator hide tags may be held for processing by a properly licensed alligator skinning facility without a license or permit. Violation of this part is a class 4 violation as described in Title 56.

5. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess alligator eggs at any time other than Department permitted Designated Collection Agents assisting a licensed and permitted alligator farmer during wild egg collection, or a holder of a valid Department issued permit for scientific purposes. Violation of this part is a class 4 violation as described in Title 56.

6. Any alligators hatched from scientific permits issued by the Department shall be returned to the wild under Departmental supervision following completion of the research project. Violation of this part is a class 2 violation as described in Title 56.

I. Importation, Exportation, Purchase, and Sale.

1. Alligators, alligator hides (raw or salted), or parts of alligators, may be brought into the state only if the alligators, alligator hides or parts of alligators were lawfully taken in another state or country and the person, firm or corporation bringing the alligators, alligator hides (raw or salted), or alligator parts into the state has obtained written permission from the Department. Violation of this part is a class 4 violation as described in Title 56.

2. All alligators, alligator hides (raw or salted), or parts of alligators possessed, sold, purchased, exported, imported, or brought into the state from another state shall be accompanied by documented evidence that they were lawfully taken. Documented evidence shall consist of, but not be limited to:

(a) A resource user license or permit number allowing the taking of alligators and tags or other identification required by

the state or country of origin shall be firmly attached to the alligator, alligator hide, or parts of alligators; and

(b) A tag or label is affixed to the outside of any package or container of alligators, alligator hides, or alligator parts that specifies type of contents, indicates quantity contained, and lists applicable license or permit numbers.

Violation of this part is a class 2 violation as described in Title 56.

3. Purchases of alligators, alligator hides, alligator eggs, and alligator parts are restricted as follows:

(a) A licensed alligator hunter may not purchase alligators or alligator hides from anyone.

(b) A licensed fur buyer may purchase whole alligators or alligator hides from a Louisiana licensed alligator hunter, licensed alligator farmer, licensed fur dealer, or another fur buyer.

(c) A licensed fur dealer may purchase whole alligators or alligator hides from a licensed alligator hunter, licensed alligator farmer, fur buyer or another fur dealer.

(d) A licensed alligator farmer may purchase live alligators only from another licensed alligator farmer (with a Department approved Alligator Transfer Authorization Permit) or the Department.

(e) An alligator farmer may purchase alligator eggs only from another alligator farmer, a landowner/land manager (with an approved Department alligator egg collection permit), or the Department.

(f) A licensed alligator parts dealer may purchase alligator parts from a licensed alligator hunter, alligator farmer, another alligator parts dealer, or the Department.

(g) A licensed alligator parts retailer may purchase finished alligator parts for retail sales.

4. Sales of alligators, alligator eggs, and alligator parts are restricted as follows:

(a) A licensed alligator hunter may sell alligators, alligator hides, or alligator parts taken by the licensee during the general open season to anyone who may legally purchase.

(b) A licensed alligator farmer may sell alligators, alligator eggs, alligator hides, or alligator parts to anyone who

may legally purchase. The sale of alligator eggs or live alligators shall only occur following the issuance of a Transfer Authorization Permit. Application for the permit shall be made at least 2 weeks prior to the transfer.

(c) A licensed fur buyer may sell whole alligators or alligator hides to a fur dealer or another fur buyer within the confines of the state.

(d) A licensed fur dealer may sell whole alligators or alligator hides to anyone who may legally purchase.

(e) A licensed alligator parts dealer may sell alligator parts, other than hides, to anyone.

(f) A licensed alligator parts retailer may sell finished alligator parts to anyone.

5. Legally tagged and documented alligators, alligator hides, and parts of alligators taken in Louisiana may be shipped out of state or exported by alligator hunters, alligator farmers, fur dealers and alligator parts dealers subject to Subsection K of these regulations (relating to Report Requirements) provided that no live alligators or eggs originating in Louisiana may be exported outside of their natural range without specific Department authorization and the concurrence of the United States Fish and Wildlife Service, to be used only for scientific purposes. Violation of this part is a class 3 violation as described in Title 56.

6. A special permit is required of anyone who sells alligator eggs, or live alligators. Violation of this part is a class 4 violation as described in Title 56.

J. Nuisance Alligator Control.

1. Nuisance alligator hunters will be selected by the Department with proper screening by enforcement personnel in the region of appointment. Selection may be based upon recommendations received from the local governing body. Applicants with prior alligator hunting violations will be rejected.

2. Nuisance alligator hunters shall purchase a valid alligator hunter license and are bound by all laws, rules and regulations governing alligator hunting with the exception that nuisance alligators may be taken at anytime.

3. Nuisance alligator complaints will be verified by Department personnel prior to being approved for removal.

4. Tags will be issued to nuisance alligator hunters. Nuisance alligator hunters will attempt to catch nuisance

alligators and relocate to natural habitat selected by the Department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this part is a class 4 violation as described in Title 56.

5. Nuisance alligator hunters may take alligators by any means prescribed by the Department. Failure to comply with Departmental instructions may result in immediate termination of the individual's participation in the nuisance alligator program. Violation of this part is a class 2 violation as described in Title 56.

K. Report Requirements.

1. Report forms provided by or approved by the Department must be completed and filed with the Department by all persons who have been issued an alligator hunter's license, fur buyer's license, fur dealer's license, nongame quadruped exhibitor's license, nongame quadruped breeder's license, alligator parts dealer's license, or alligator egg collection permit in accordance with this Subsection. Reports shall include but not be limited to the information specified in this Subsection.

2. Alligator hunters receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form furnished by or approved by the Department at the time of each alligator part transaction. These forms shall be submitted to the Department at the end of the calendar year.

(b) Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the close of the season. Lost or stolen tags will not be replaced.

(c) All unused tags must be returned to the Department within 15 days following the close of the season. Tag fees will only be reimbursed during this specific time period.

(d) The Department must be notified of any trophy skins not sold to commercial buyers or dealers within 30 days following the close of the season, on official forms provided by or approved by the Department.

(e) Each licensed alligator hunter selling alligator parts to a person or a restaurant shall provide that person with a bill of sale for each transaction.

(f) All records of commercial transactions involving alligator parts by alligator hunters shall be available for inspection by the Department.

Violation of this part is a class 2 violation as described in Title 56.

3. A nuisance alligator hunter shall comply with the same report requirements as a commercial alligator hunter and complete any other reports required by the Department. Violation of this requirement shall result in immediate termination of nuisance alligator hunter status. Violation of this part is a class 2 violation as described in Title 56.

4. Alligator farmers receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form, furnished by or approved by the Department at the time of each alligator parts transaction. These forms shall be submitted to the Department along with the annual report. Violation of this part is a class 2 violation as described in Title 56.

(b) Complete an official lost tag form, furnished by the Department, for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the last day of the year that issued tags are valid. Lost or stolen tags will not be replaced. Violation of this part is a class 2 violation as described in Title 56.

(c) All unused hide tags must be returned to the Department within 15 days following the last day of the year that issued tags are valid. Violation of this part is a class 3 violation as described in Title 56.

(d) Each alligator farmer shall report annually, no later than December 1, on an official form provided by the Department, all activities that have occurred on the farm for the past year including but not limited to the number of live alligators as of that date, separated by sizes, the number of eggs collected and hatched, the purchase and sale of alligators, hides, and parts for the past year and the numbers of alligators lost. Failure to complete this form properly and completely will result in nonrenewal of the nongame quadruped breeder's license. Violation of this part is a class 3 violation as described in Title 56.

(e) Each licensed alligator farmer selling alligator parts to a person or a restaurant shall furnish that person with a bill of sale for each transaction. Violation of this part is a class 2 violation as described in Title 56.

(f) Each alligator farmer collecting alligator eggs, hatching alligator eggs, selling alligators for processing, or selling alligator skins shall submit completed forms as provided by the Department within 10 days following completion of the activity. Violation of this part is a class 3 violation as described in Title 56.

5. Fur buyers, fur dealers, alligator farmers and alligator hunters engaged in the business of buying and/or selling whole alligators or alligator hides must keep within the state a complete record on forms provided by or approved by the Department, all purchases and sales of whole alligators or alligator hides as described in Title 56, and;

(a) Every fur buyer, fur dealer, alligator farmer or alligator hunter having undressed alligator hides in his possession shall file with the Department within 60 days of purchase or within 60 days of tagging or prior to shipping out of state or prior to tanning skins in Louisiana, whichever occurs first, a complete report, on forms provided by or approved by the Department, a detailed description of alligator hides to be shipped or tanned. At the time of shipment or prior to tanning, Department personnel will inspect hides and replace any broken or reattached tags. Department personnel will issue the appropriate number of yellow shipping tags, one for each shipment. At that time, Department personnel will affix a seal/or locking device to each container and if container is reopened by anyone other than Department personnel or Federal personnel this action will be considered illegal. In conjunction with the inspection and prior to Department issuance of shipping tag(s) and seal(s) or locking device(s), Department personnel must collect:

(1) All completed buyer/dealer records for skins in each shipment.

(2) Shipping manifest including each skin in shipment.

(3) Stub portion of yellow shipping tag completely filled-out.

(4) Severance tax owed by alligator hunter, alligator farmer or fur dealer.

If any of the above requirements are not satisfied, the shipment will not be authorized.

Violation of this part is a class 3 violation as described in Title 56.

6. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator hides

purchased inside and outside the state as described in Title 56. Fur dealers in the business of tanning alligator hides must provide a monthly report, on forms provided by or approved by the Department, of all alligator hides being held in inventory. Failure to maintain complete records and to pay the required severance tax subjects any dealer to the full penalties provided and the immediate revocation of his license by the Department. No license shall be issued to a dealer who has not paid the tax for the preceding year. Violation of this part is a class 3 violation as described in Title 56.

7. Alligator parts dealers acquiring alligator parts, shall complete an official alligator parts purchase form at the time of each purchase. Alligator parts dealers selling alligator parts, shall complete an official alligator parts sale form at the time of each sale. These forms shall be furnished by or approved by the Department and shall be submitted to the Department annually, no later than June 30, and;

(a) Alligator parts dealers shall furnish a bill of sale to anyone purchasing alligator parts.

(b) The records of transactions involving alligator parts shall be available for inspection by the Department and shall be maintained complete for a period of one year following any transaction.

Violation of this part is a class 2 violation as described in Title 56.

8. Any alligator parts retailer purchasing finished alligator parts shall maintain a bill of sale for each purchase for a period of six months after such purchase and these records shall be available for inspection by the Department. Violation of this part is a class 2 violation as described in Title 56.

L. Alligator Meat.

1. Alligator meat from lawfully taken alligators can only be sold according to state and federal laws, Louisiana Department of Health and Hospitals regulations and Louisiana Wildlife and Fisheries Commission regulations. Violation of this part is a class 3 violation as described in Title 56.

2. Alligator meat processed in the State of Louisiana and sold for human consumption must be processed in a licensed facility approved by the Louisiana Department of Health and Hospitals and the facility must display a valid permit issued by that agency. Violation of this part is a class 2 violation as described in Title 56.

3. All processed alligator meat for sale must be packaged in suitable containers which identifies the contents as alligator meat, marked with a valid Department license number and comply with all state and federal packaging and labeling requirements. Violation of this part is a class 2 violation as described in Title 56.

4. All alligator meat shipped into the state and being offered for sale must meet all of Louisiana's health, processing, packaging and labeling requirements. Violation of this part is a class 2 violation as described in Title 56.

M. Disposal of Alligators by the Department.

1. The Department may sell alligators, alligator eggs or parts of alligators taken for any purpose deemed necessary for proper management of the species pursuant to Title 56.

2. The Department may dispose of alligators, alligator eggs, or parts of alligators by donation or lending to a scientific institution or other institutions that the Department deems have need for such alligators, however these institutions cannot sell or barter these animals which must be returned to the Department at the conclusion of the program or need.

3. Confiscated alligator hides and parts may be destroyed by the Department pending the outcome of the criminal trial.

4. Confiscated alligator eggs or live alligators may be sold or may be cared for by the Department and released in suitable alligator habitat when and where they can survive when appropriate. All costs incurred by the Department in the maintenance of these eggs and animals in captivity shall be the responsibility of the offender and restitution shall be made to the Department. The Department may consign confiscated alligators to a licensed farm for raising purposes and may compensate the farmer for his expenses by transferring ownership to him of a percentage of the confiscated alligators; not to exceed 50%.

N. Alligator Egg Collection.

1. Alligator egg collection permits are a three party permit between the Department, the permittee and a landowner/manager who owns or leases alligator nesting habitat determined by Department biologists to be capable of producing alligator eggs. The numbers of eggs to be collected will be based upon biological management criteria and will be determined annually by technical staff of the Department. The Department only estimates the numbers of eggs available and assumes no responsibility or offers no guarantee that those numbers of eggs will be available. Alligator egg collection permits may be obtained upon application to the Department on forms provided by the Department. The annual deadline for submitting

applications for Alligator Egg Collection Permits is June 1. This program is experimental and may be changed at any time based on biological data to insure for proper management of the wild alligator population.

2. Alligator egg collection permits may be issued by the Department provided:

(a) Permittee is a properly licensed alligator farmer and meets all applicable requirements in Subsection 0 of these regulations (Alligator Farm Facility Requirements).

(b) All land documentation required on the alligator egg collection permit has been presented to the Department.

(c) Department biologists determine the properties described on the permit application are indeed alligator nesting habitat and can sustain alligator egg collections.

(d) Applicant has obtained all legal and necessary signatures from landowners/land managers.

3. It is unlawful for an alligator farmer or a permitted Designated Collection Agent to collect eggs from properties other than those described in the alligator egg collection permit. Violation of this part is a class 4 violation as described in Title 56.

4. An alligator farmer or designated collection agent in the act of collecting or possessing alligator eggs must possess on his or her person a copy of the fully executed alligator egg collection permit. The designated collection agent must also possess a valid designated collection agent permit.

Violation of this part is a class 3 violation as described in Title 56.

5. Collection of wild alligator eggs can only be made after contacting the appropriate regional supervisor of the Enforcement Division no less than 24 hours prior to each collection trip.

Violation of this part is a class 3 violation as described in Title 56.

6. Alligator eggs can only be collected from the wild from official sunrise to official sunset and only during the established alligator egg collection season and shall not exceed the number on his Alligator Egg Collection Permit. Violation of this part is a class 4 violation as described in Title 56.

7. Alligator eggs collected from the wild must be collected and transported in a manner which insures the greatest survival of

viable eggs as determined by Department biologists. Violation of this part is a class 3 violation as described in Title 56.

8. Failure to hatch at least 70% of viable alligator eggs collected from the wild shall be considered a waste of Louisiana's natural resources. All alligator egg collection permits shall be revoked and no new permits issued should an alligator farmer be found to waste the resources of this state for two consecutive years.

9. Alligator egg collection permits shall be revoked and no new permits issued to alligator farmers who fail to average a minimum hatchling survival rate of 85% for two consecutive years.

10. The alligator egg collection permittee and the landowner are responsible for the return of the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78%. Each alligator shall be returned to the original egg collection area within a maximum time of two (2) years from date of hatching. Each alligator shall be a minimum of 36" and a maximum of 60" (credit will not be given for inches above 60") in size and the returned sex ratio should contain at least 50% females. The alligator egg collection permittee/landowner are responsible for and must compensate in kind for alligator mortality which occurs for Department authorized return to the wild alligators; while being processed, stored, or transported. The Department shall be responsible for supervising the required return of these alligators. A Department transfer authorization permit is not required for return to the wild alligators which are delivered to the farm of origin no more than 48 hours prior to being processed for wild release. Releases back to the wild will only occur between March 15 and September 30 of each calendar year provided that environmental conditions as determined by the Department are favorable for survival of the released alligators. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the Department. Department sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this part is a class 4 violation as described in Title 56.

11. The percentage of alligators to be returned to the wild shall be selected from the healthiest of all alligators of that year class. Abnormal or deformed alligators are not acceptable for release into the wild. It is unlawful for alligators that are to be returned to the wild to be transported out of state. Violation of this part is a class 4 violation as described in Title 56.

O. Alligator Farm Facility Requirements.

1. All first time applicants for a nongame quadruped breeder's or exhibitor's license who will house alligators on their premises shall show compliance of the following minimum facilities as applicable to their particular operation during a required facility examination by Department personnel prior to license issuance:

(a) Secured premises with adequate barriers to prevent escape of enclosed alligators and entry by alligators from outside the farm and to deter theft of alligators.

(b) Source of clean, fresh water which shall be adequate to ensure for proper care of all alligator stock and facilities. This requirement shall be determined by Department personnel.

(c) Provisions for both dry area and pooled water within the secured area adequate for the numbers of alligators to be housed on the premises. This requirement will be determined by Department personnel.

(d) Provision for winter protection, either through adequate denning space or an enclosed, controlled- temperature environment of a design acceptable to the Department.

(e) All controlled-temperature alligator sheds (environmental chambers) shall be of a design acceptable to the Department. Each shed shall maintain a minimum water and air temperature of 80 degrees fahrenheit. Minimum space requirements for alligators housed in the shed shall be:

(i) One square foot of space shall be required for each alligator less than 24" in length.

(ii) Three square feet of space shall be required for each alligator measuring 25" to 48" in length.

(iii) One additional square foot of space shall be required for each additional 6 inches of alligator length for alligators above four feet in length.

(f) All alligator egg incubators shall be of a design acceptable to the Department. Each incubator shall maintain a water and air temperature of 85 to 91 degrees fahrenheit during the egg incubation.

(g) Applicant must be in compliance with all laws and regulations pertaining to zoning, construction, health and environmental standards and must possess any and all applicable permits and licenses.

(h) All alligator facilities should be constructed in a suitable location so as to minimize contact with people.

2. Following initial issuance of applicable license, all applicable facility requirements shall be adhered to and Department personnel have the authority to inspect any and all of the facilities at any time. Failure to adhere to the requirements shall be a violation of these rules and violators will be given 60 days to correct the problem. Failure to comply shall result in confiscation of all animals and/or closure of all facilities. Violation of this part is a class 3 violation as described in Title 56.

3. All alligator farmers possessing alligator eggs outside an alligator nest should house these eggs in an incubator providing constant temperature and humidity conditions. All incubators used to incubate alligator eggs shall be of a design to allow for maximum temperature control and conform to Department requirements to allow for the maximum hatching success. Violation of this part is a class 3 violation as described in Title 56.

4. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers which maintain a minimum water and air temperature of 80 degrees fahrenheit year round and containing dry and wet areas of sufficient surface area to permit all alligators to partially submerge in water. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the Department to move them to outside growth areas. Violation of this part is a class 3 violation as described in Title 56.

5. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet in length, and over four feet in length. Land and water areas sufficient for partial submersion or exit from water shall be provided for each group of alligators held. Violation of this part is a class 3 violation as described in Title 56.

6. All facilities, alligator stock, and records are subject to examination by Department personnel prior to permitting and thereafter during farm operation. Violation of this part is a class 3 violation as described in Title 56.

7. It shall be unlawful for alligator eggs or alligators to be moved from a licensed premises without permitting/approval of the Department. Violation of this part is a class 3 violation as described in Title 56.

8. Any alligator egg or alligator raised on an alligator farm shall be cared for under conditions that do not threaten the survival of such egg and alligator as determined by the biological

staff of the Fur & Refuge Division. In making such determination, Fur & Refuge Division biologists shall take into consideration sanitary conditions, temperature control, feeding, overcrowding and other conditions which effect the survival of alligator eggs and alligators. If the biological staff of the Fur & Refuge Division determines that the survival of any alligator egg or alligator is threatened due to the conditions on an alligator farm, the Department shall notify the alligator farmer and shall provide the farmer with 60 days to take corrective action. If the farmer fails to take corrective action within 60 days, the Department shall have the authority to confiscate any alligator egg or alligator which remains under conditions that threaten the survival of such alligator egg or alligator and to dispose of such alligator egg or alligator as the Department deems necessary. Violation of this part is a class 4 violation as described in Title 56.

P. Exceptions.

1. The Department or an authorized representative of the Department may take by any means and possess alligators or parts of alligators while in the performance of official duties.

2. These regulations shall not prohibit a person from killing an alligator in immediate defense of his or her life or the lives of others. Alligators killed under this provision must be reported to the Department within 24 hours.

Q. Penalty for Violation.

1. In order to facilitate greater control over alligator trafficking, the Louisiana Department of Wildlife and Fisheries finds that public welfare imperatively requires emergency action when the provisions of these regulations are violated.

2. In addition to all penalties set forth herein, violators may be subject to criminal prosecution under provisions of the Louisiana Revised Statutes, particularly Titles 14 and 56 and under Federal law.

3. In addition to all other penalties provided by these rules and by statute, violation of any part of these regulations may result in the suspension and/or revocation of any or all alligator licenses/permits held by the violator and, as further penalty, for serious, repeat, or multiple violations, the Department shall have the right to deny a violator any and all licenses/permits relating to alligators for a period not to exceed three (3) years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, 259, 261, 262, 263 and 280.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16:1070

(December 1990), Amended L.R. 17:892 (September 1991), Amended L.R. 19: (February 1993).

Bert H. Jones
Chairman

Information on the **Wild Louisiana Stamp** Program was requested by Mr. Hugh Bateman to be removed from the agenda and added to the March agenda. As a note to this item, the Oversight Committee did approve the proposed Rule on the Wild Louisiana Stamp and Print Program.

A Notice of Intent for **Black Bass Regulations on Caddo Lake and Toledo Bend Reciprocal Agreement** was next discussed by Mr. Bennie Fontenot. The request was to drop the 14 inch minimum on Caddo Lake and institute a 14 to 17 inch slot, 10 daily take with no more than 4 over 17 inches. Mr. Fontenot further mentioned the Notice of Intent for Toledo Bend was only to remove Caddo Lake ~~out~~ *FROM* of the reciprocal agreement. Chairman Jones asked the basic reasoning behind the change. Mr. Fontenot informed the Commission that Texas was in full agreement with changing the 14 inch minimum and putting a slot limit on Caddo Lake, but Texas' slot limit would be from 14 to 18 inches with a 3 fish limit per day, whereas Louisiana was requesting a slot of 14 to 17 inches. Then Mr. Gary Tilyou gave a slide presentation to the Commission showing the reasons for what was being proposed. These reasons included the harvest of spotted bass; reduce the number of 10 inch and 12 inch largemouth bass through harvest, and try to increase the number of fish 14 inches and over. *AN EFFORT TO*

Questions from Commissioner Jenkins included, what percent of Caddo Lake is in Texas and Louisiana? if when sampling, the samples had only native bass and no Florida bass and if Texas is sampling Florida bass for the difference in the growth rates? are there any Florida bass in Caddo Lake and why they do not show up in Louisiana's samples? have the Florida bass' lack of moving far been found to be true in other lakes where they had been stocked. Chairman Jones inquired if there was a clearly defined line between Texas and Louisiana for enforcement purposes, and if a boat was fishing in a certain spot, can it be checked by enforcement personnel from Texas and Louisiana? Commissioner Mialjevich asked if what was being proposed was for the betterment of the majority of people in Louisiana, and then mentioned he had no problem with different regulations on the same lake. Chairman Jones asked for public comments and received none, *Asked* then requested what action needed to be taken. Mr. Fontenot informed that the Notice of Intent for Toledo Bend, which would pull Caddo Lake out of these regulations, needed to be passed first, and then approve the Notice of Intent for Caddo Lake. Commissioner Jenkins made a motion to accept the Notice of Intent for Toledo Bend and was seconded by Commissioner Mialjevich. This action passed unanimously. Then Commissioner Jenkins made a motion to accept the Notice of Intent *Approval*

for black bass regulations on Caddo Lake and was seconded by Commissioner Mialjevich. This action also passed unanimously.

(The full text of the Notice of Intent on Toledo Bend Reciprocal Agreement is made a part of the record.)

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to amend the joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section 110. Toledo Bend Reciprocal Agreement

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at eight fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir. The possession limit shall be the same as the daily take on water and twice the daily take off water.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25) (a), 325(c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 14:548 (August 1988), Amended LR 17:278 (March 1991), Amended LR 17:1123 (November 1991), Amended LR 19: .

Interested persons may submit written comments of the proposed rule to Bennie Fontenot, Administrator, Inland Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, April 7, 1993.

Bert H. Jones
Chairman

(The full text of the Notice of Intent for Caddo Lake is made a part of the record.)

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to adopt the following rule on black bass (Micropterus spp.) in Caddo Lake located in Caddo Parish, Louisiana.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section 167. Black Bass Regulations, Caddo Lake

Harvest regulations for black bass (Micropterus spp.) on Caddo Lake located in Caddo Parish, Louisiana are as follows:

Size limit:	14 inch-17 inch slot
Daily take:	10 fish of which no more than 4 fish may exceed 17 inches maximum total length.
Possession limit:	On Water - Same as daily take. Off Water - Twice the daily take.

A 14-17 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (C), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 19:

Interested persons may submit written comments of the proposed rule to Bennie Fontenot, Administrator, Inland Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, April 7, 1993.

Bert H. Jones
Chairman

AND MARINE Fisheries HAS

Final Ratification of Special Bait Dealer's Permit was given by Mr. Brandt Savoie. The Notice of Intent was issued back in the fall, have received no comments and no changes have been made to the original Notice of Intent. Commissioner Mialjevich asked if there was a limit discussed on the daily catch, if there was a limit on the number of times a vessel could go out a day, if there were ever any violations made, if there were a limit on the number of licenses issued or the number of permits issued for a bait shop, do their sales records compensate for the number of permits they have, how many years has this program existed, and if there are any problems, this issue can be brought back before the Commission? Then Commissioner Mialjevich requested that the program be watched closely and he be kept informed of any violations that may occur in the future, asked if there was a tow time limit, and if another live fish that could be used for bait could be kept. Chairman Jones asked for public comments and received none, then asked Mr. Savoie to read the Therefore Be It Resolved portion of the Resolution. Commissioner Jenkins moved to adopt the Resolution, seconded by Commissioner Mialjevich and passed unopposed.

(The full text of the Resolution and Rule is made a part of the record.)

RESOLUTION

RULES FOR THE SPECIAL BAIT DEALERS PERMITS

WHEREAS, the Special Bait Dealers Program is undergoing significant changes in this state, and

WHEREAS, the Louisiana State Legislature has authorized the Wildlife and Fisheries Commission to set the rules for the Special Bait Dealers Program.

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the final rule for the Special Bait Dealers Program.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate these regulations and the final rule.

BE IT FURTHER RESOLVED, that the complete contents of the final rule establishing regulations for the Special Bait Dealers Program is attached to and made part of this resolution.

Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), and R. S. 56:497(C), the Louisiana Wildlife and Fisheries Commission hereby adopts the rules and regulations for a special bait dealer's permit which will allow the taking of live bait shrimp by qualified permit holders during the closed season between the spring and fall shrimp seasons.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

Section 329. Special Bait Dealer's Permit

A. Policy

The special bait dealer's permit is intended solely for the benefit of the recreational fishing public which desires to use live shrimp as bait during the closed season between the spring and fall shrimp seasons. Its purpose is to allow the uninterrupted operation of those commercial establishments which sell live bait shrimp to the fishing public during the spring and fall shrimp season. The permit is not intended for the direct use of recreational fishermen, charter boats, commercial fishermen who sell dead shrimp, or for any other entity which may wish to catch shrimp for their own use during the closed season.

B. Application

1. Applications for the special bait dealer's permit will be accepted from January 1 through April 30 of each year. All applications should be mailed to the department via certified mail.

2. Applications will be accepted only from the owner of an existing business which sells or plans to sell live bait to recreational fishermen.

3. Applications must be made on forms provided by the department; all information requested must be provided before the application will be processed.

4. Applicants must show proof of having acquired all necessary licenses and permits before the permit will be issued. This includes, if relevant, boat registration, vessel license, gear license, commercial fishing licenses, and name of fisherman; wholesale/retail dealers license, state sales tax number, and a copy of the applicant's and the fisherman's valid drivers license. A background check for wildlife violations of the applicant and the fisherman will be made. Conviction of any Class II or greater wildlife violation may be grounds for denial of application.

5. Applicant must post a \$1,000 cash bond or surety bond before the permit is issued. If using a surety bond, these bonds must be issued through a bonding company or an insurance company. This bond will be forfeited if the permittee, his employee, or his contractor violates any provision of the rules and regulations concerning the special bait dealer's permit or if the permittee, his employee, or his contractor violates any commercial fishing law or regulation while operating under the permit. Property bonds are not acceptable.

6. Before the permit is issued an agent of the department must inspect the facilities of the applicant and verify that the applicant is operating a commercial establishment which sells live shrimp to the fishing public for use as bait, and that the applicant does have facilities to maintain live shrimp. Notice to the public must be posted that live bait shrimp are available for sale. The applicant must have onshore facilities, including tanks with a minimum capacity of 500 gallons, available to hold live shrimp. These tanks must have provisions for aeration and/or circulation of the water in which live shrimp are held prior to sale. In determining total tank capacity of onshore facilities, the agent shall not count any tank with a capacity of less than 50 gallons.

7. Only the applicant, his designated employee, or his contractor may operate under the permit. If the applicant has a contract with another party who will supply live bait shrimp to him, he must provide the department written evidence of the agreement. At the time of application, the applicant will specify who will be working under the permit. Should these persons change, the applicant will notify the department in the manner specified by the permit before the new vessel or persons operate under the permit. The permit is not transferrable to any other person or vessel without previous notification to the department in the manner specified by the permit. The entire original permit must be carried on the vessel while in operation.

8. Vessel operations under this permit shall be limited to areas specified by the permittee as stipulated in his application.

C. Operations

1. Only the vessel listed in the permit can be used with the permit. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp must be carried on or built into this vessel; it must be used for both taking and transporting the live shrimp. The vessel must have a minimum of one compartment or tank with a capacity of 50 gallons. No other vessel may be used under the permit. Signs which identify the vessel as working under the special bait dealer's permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.

2. Permitted gear is limited to one (1) trawl not to exceed 25 feet along the cork line 33 feet along the lead line. This is the only gear which can be used or carried aboard the permitted vessel while the vessel is operating under the permit; no other commercial fishing gear may be on the vessel when it is being used under permit.

3. No dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp and all other organisms caught while taking live bait shrimp must be immediately returned to the water. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 16 ounces in weight.

4. Bait shrimp may be taken only from sunrise to sunset; no night fishing is allowed under this permit.

5. The entire original permit must be in the possession of the person operating the vessel while it is engaged in taking shrimp under the terms of the permit.

6. Each time the permit is used the permittee must notify the department in the manner specified by the permit. Before the vessel departs the dock under the permit, the department must be advised of the time of departure and the general location in which trawling will take place; immediately after the permitted vessel returns to the dock the department must be notified of the time of return.

7. The permittee shall maintain an up-to-date record of the activities conducted under permit on forms provided by the Department for that purpose. These forms shall be available for inspection by agents of the department upon request by said agents. In addition, any agent of the department shall be allowed to make an on site inspection of any facilities operating under the permit,

at any time. Permittee will submit to the department, not later than September 1, the record of shrimp harvested under the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:497(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:210, (April 1977), amended LR 15:867 (October 1989), LR 19: (February 1993).

Bert H. Jones
Chairman

A Declaration of Emergency and Notice of Intent for **Red Snapper** was the next item discussed by Mr. Harry Blanchet. He reminded the Commission of a Declaration of Emergency ^{WAS} passed last month to delay the opening of the commercial red snapper season until February 16, 1993. The National Marine Fisheries Service has approved regulations for federal waters for the 1993 fishing years which include a red snapper endorsement. The Gulf Council has requested Louisiana to implement a rule which would be complimentary to federal waters. This rule is only for the 1993 calendar year.

^{AND} Commissioner Jenkins asked why the Notice of Intent should have a date on it for the calendar year 1993, and if there is an expiration date, you would have to come back with a new rule? Commissioner Jenkins made a motion to accept the Declaration of Emergency, ^{AND} to file the Notice of Intent on the red snapper fishery, and then read the Therefore Be It Resolved portion of the Resolution. This motion was seconded by Commissioner Schneider. Chairman Jones asked for public comments.

Mr. Allen Braud commented he was a crab fisherman and was thinking of getting into the red snapper fishery. He went to Fourchon and Leeville and noticed most of the fishermen were from Florida, Texas and Georgia and mentioned that Louisiana fishermen have not been able to fish red snapper for the past 3 years and thus can not get the red snapper endorsement.

^{He added} Commissioner Jenkins commented that the red snapper rules for the EEZ are the same throughout the Gulf, ^{AND} the Commission can not do much about people from other states coming to Louisiana and fishing, ^{HAVE} there are a number of federal rules and regulations that all ~~has~~ to follow which have been argued many times. Then he stated that the problem was, how can you take a limited number of fish and fix it to where the fishermen can make a living from it? Commissioner Cormier asked if there were any commercial fishermen in Louisiana that ~~does~~ qualify for this endorsement, ^{AND} if the ~~few~~ ^{LOW} number of fishermen from Louisiana is because of the moratorium on red snapper, ^{AND} looking into the future, can more Louisiana commercial fishermen qualify? Commissioner Jenkins stated that the National

Marine Fisheries Service would probably end up with individual transferable quotas which will produce a very limited entry.

Mr. Ted Loupe informed Commissioner Cormier of the history behind red snapper ~~history~~ stating that Florida boats have been coming to Louisiana since before there were oil rigs in the Gulf. One of the biggest problem with the National Marine Fisheries Service has been with the landings from these boats from Florida unloading their catch in Florida. ~~Then agreed with Commissioner Cormier that it will be hard for anyone from Louisiana to get a permit.~~ He

Commissioner Jenkins asked Mr. Loupe if he thought this was true for all the states in the Gulf and not just Louisiana. Commissioner Mialjevich asked how much snapper fishery is in Louisiana territorial waters, if the people in the snapper business are satisfied, and then commented he felt the smaller boats were being discriminated against. Commissioner Mialjevich then asked if "for the 1993 year only" would be inserted. Chairman Jones asked where the insertion would be put. Commissioner Mialjevich remarked he would like to see it added because of convenience more than anything else. Commissioner Jenkins amended the original motion to include the 1993 year and was seconded by Commissioner Schneider. The motion passed unanimously.

(The full text of the Resolution, Declaration of Emergency and Notice of Intent is made a part of the record.)

RESOLUTION

COMMERCIAL TRIP LIMITS FOR RED SNAPPER

- WHEREAS,** red snapper are managed under the Federal Fishery Management Plan for the Reef Fishes of the Gulf of Mexico, and
- WHEREAS,** the Secretary of Commerce has approved emergency regulations establishing trip limits for the commercial harvest of red snapper in the Federal waters of the Gulf of Mexico, and
- WHEREAS,** the Gulf of Mexico Fishery Management Council is presently undertaking action to extend these regulations for Federal waters for the remainder of the 1993 fishing year, and
- WHEREAS,** the Gulf of Mexico Fishery Management Council and National Marine Fisheries Service have requested that the various Gulf states adopt regulations compatible with

those contained in the emergency regulations and proposed extensions, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission under the authority of R.S. 56:326.3 is empowered to set possession and daily take limits based on biological and technical data, and

WHEREAS, revisions to the existing rules are possible without jeopardizing the biological integrity of the affected stocks, and

WHEREAS, technical analyses by staff of the Gulf of Mexico Fishery Management Council has determined that the proposed measures will extend the length of the red snapper commercial season and provide benefits to the fishery,

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does adopt a Declaration of Emergency and express notice of intent to adopt permanent rules concerning commercial trip limits for red snapper in Louisiana waters.

BE IT FURTHER RESOLVED, that the complete contents of the Declaration of Emergency and Notice of Intent establishing commercial trip limits for red snapper are attached to and made part of this resolution.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate these regulations and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the Notice of Intent, and preparation of reports and correspondence to other agencies of government.

Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Secretary, Louisiana Department of Wildlife and Fisheries does hereby give notice of intent to promulgate a Rule establishing possession limits for commercial harvest of red snapper, as part

of the existing rule for daily take, possession, and size limits for reef fishes set by the Commission. Authority for adoption of this Rule is included in R.S.56:6(25)(a) and 56:326.3. Said Rule is attached to and made a part of this Notice of Intent.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

Section 335. Daily Take, Possession and Size Limits Set by Commission, Reef Fish

A. The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the harvest of snapper, grouper, sea basses, jewfish, and amberjack within and without Louisiana's territorial waters:

<u>Species</u>	<u>Recreational Bag Limits</u>
1. Red Snapper	7 fish per person per day
2. Queen, mutton, schoolmaster, blackfin, cubera, gray, dog, mahogany, silk, yellowtail snappers, and wenchman	10 fish per person per day. (in aggregate)
3. All groupers	5 fish per person per day (in aggregate)
4. Greater amberjack	3 fish per person per day

B. All persons who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit.

C. A person subject to a bag limit may not possess during a single day, regardless of the number of trips or the duration of a trip, any reef fish in excess of the bag limits.

D. For charter vessels and headboats as defined in Federal Regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, there will be an allowance for up to two daily bag limits on multi-day trips provided the vessel has two licensed operators aboard as required by the U.S Coast Guard for trips of over 12 hours, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

E. Those persons possessing a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources, who do not possess a red snapper endorsement on that permit are limited to a daily take and possession limit of 200 (two hundred) pounds per vessel.

F. Those persons possessing a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources, who do possess a red snapper endorsement on that permit are limited to a daily take and possession limit of 2,000 (two thousand) pounds per vessel.

G. Paragraphs E and F above, are effective until midnight, December 31, 1993.

H. <u>Species</u>	<u>Minimum Size Limits</u>
1. Red Snapper	13 inches total length
2. Gray, mutton and yellowtail snapper	12 inches total length
3. Lane and vermillion snapper	8 inches total length
4. Red, gag, black, yellowfin and nassau grouper	20 inches total length
5. Jewfish	50 inches total length
6. Greater amberjack	28 inches fork length (recreational) 36 inches fork length (commercial)
7. Black seabass	8 inches total length

I. Federal regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, defines charter vessels and headboats as follows:

1. Charter vessel means a vessel whose operator is licensed by the U.S. Coast Guard to carry six or fewer paying passengers and whose passengers fish for a fee. A charter vessel with a permit to fish on a commercial quota for reef fish is under charter when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

2. Headboat means vessel whose operator is licensed by the U.S. Coast Guard to carry seven or more paying passengers and whose passengers fish for a fee. A headboat with a permit to fish on a commercial quota for reef fish is operating as a headboat when it

carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June, 1990), amended LR 19: .

Interested persons may submit written comments on the proposed rule to Harry Blanchet, Marine Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Monday, May 10, 1993.

Bert H. Jones
Chairman

Mr. Ron Dugas presented a Declaration of Emergency on **Calcasieu Oyster Limits**. A resolution ~~to raise the daily take for oyster fishermen on the public tonging reefs in Calcasieu Lake from 10 sacks to 15 sacks.~~ Data from the stock assessment taken before the season opened ~~and~~ found there was a tremendous supply in Calcasieu Lake. The fishing pressure and production has only been 1/3 of what it should have been, commented Mr. Dugas. *was offered*

Commissioner Jenkins inquired if the grounds were private or public and what was the primary reason for production being low? Commissioner Vujnovich remarked ~~with the price of oysters today,~~ it does not pay for a person to go fish, and ~~knew~~ that the sales of oysters were down just as was everything else. Then Commissioner Vujnovich made a motion to accept the Declaration of Emergency for the 1992-93 season, seconded by Commissioner Jenkins. Chairman Jones read the Therefore Be It Resolved portion of the Resolution and asked for public comments. None were received. The motion passed unanimously. *that*

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

RESOLUTION

CALCASIEU LAKE OYSTER SEASON

WHEREAS, the Department assessed the resource and there was an above average supply; and

WHEREAS, there has been a reduced amount of fishing pressure due to reduced oyster prices and public health closures; and

WHEREAS, because of the reassessment of the water quality data, the health department has issued new more restrictive closures; and

WHEREAS, Revised Statute 56:25(A) authorizes the Commission to regulate quota limits, and Revised Statute 56:435.1 allows the Commission to regulate both the season and daily quota limits because of health closures.

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission increases the daily quota limit from 10 sacks to 15 sacks per day for the Calcasieu Public Oyster Grounds for the remainder of the 1992-93 oyster season.

Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B) and 967, and under the authority of R.S. 56:25(A) and R.S. 56:435.1, notice is hereby given that the Wildlife and Fisheries Commission finds that imminent peril to the public welfare exists and hereby adopts the following emergency rule:

There will be an increase in the oyster fishing quota regulation from 10 daily sacks to 15 sacks allowed daily for Calcasieu Lake for the remainder of the 1992-93 oyster season.

Bert H. Jones
Chairman

Mr. Don Puckett began the discussion on **Fossil Shell Extraction Lease** for the Louisiana Dredging Company. Representatives of Louisiana Dredging Company approached the Department to request a reduction in the bond amount from \$2.4 million to \$1.6 million. Mr. Puckett introduced Mr. Richard Koen from Louisiana Dredging Company to answer questions from the Commission. Mr. Koen updated the Commission, saying that the first year has been completed and the \$800,000 minimum royalty has been paid. The new bond would be secured from a different company than where the present was from. This new company would be rated equal to or better than the present company. Commissioner Jenkins stated he had no problem with the request from Louisiana Dredging and moved the Commission approve the request. Commissioner Mialjevich

seconded the motion. Commissioner Gisclair wondered if the Company's intention was to come back next year and have the bond reduced to \$800,000. Chairman Jones reiterated the motion that was made and seconded and then called for a vote. The motion passed unanimously.

He asked **Civil Restitution and Class 1 Update** computer printouts were provided by Ms. Wynnette Kees to the Commission. She pointed out that the report was very routine *The department* had assessed for the month of January about \$35,000 in civil assessments, payments collected amounted to \$7,400, and the enforcement agents are using the new civil restitution books. Commissioner Jenkins inquired about the negative numbers on the report. Chairman Jones asked about the collection procedures. Commissioner Jenkins inquired on particular cases that the Commission had been following, then on the case in Winn Parish, if civil restitutions had been made, then asked for a breakdown of the assessments on that case. Chairman Jones wondered if the redfish case had gone away, and then Commissioner Jenkins asked why the violator had never paid his assessment.

The Monthly Law Enforcement Report for January was given by Col. Winton Vidrine. The following numbers of citations were issued during the month of January.

Region I - Minden - 40 citations.

Region II - Monroe - 72 citations.

Region III - Alexandria - 64 citations.

Region IV - Ferriday - 87 citations.

Region V - Lake Charles - 177 citations.

Region VI - Opelousas - 105 citations.

Region VII - Baton Rouge - 448 citations.

Region VIII - New Orleans - 201 citations. Commissioner Mialjevich wondered why the 13 sacks of oysters were destroyed.

Region IX - Houma - 175 citations.

Oyster Strike Force - 45 citations. The Oyster Strike Force, Statewide Strike Force, Region VIII agents and the two offshore boats were sent to the Lake Borgne area because of complaints received. A total of 48 citations were issued in 2 days, 46 were from out-of-state and 2 were to Louisiana residents, and 510 sacks of oysters were seized.

Statewide Strike Force - 63 citations.

Offshore Boats - 8 citations.

The grand total of citations issued statewide for the month of January was 1,285.

AND Commissioner Mialjevich wondered what area the 990 pounds of shrimp were seized from, were they residents or non-residents shrimping, then requested that the North Shore of the Chandeleur Islands be watched closely, and finally asked how gill nets were licensed? Commissioner Vujnovich commented that he has seen gill netters tie three nets together, and wondered if it counted as one net. Then Commissioner Vujnovich thanked the Enforcement Division for the fast action taken on the oyster violations and requested this continue. Commissioner Jenkins asked if records on Operation Game Thief calls were kept, was it being utilized, was anything being done to publicize the service, and then commented he would like to see if there was a way to get more people to use the service. Then Commissioner Jenkins requested a report be given periodically on the Operation Game Thief service, then inquired into the redfish interstate commerce case and the circumstances behind it, the Mississippi quota for redfish, does Louisiana keep track of the number of pounds of fish brought in from Mississippi, if the number of pounds hauled into Louisiana can be compared to Mississippi quota figures, then commented that Mississippi would be closing their fishery based on Louisiana reportings, and suggested contacting Alabama and other states to find out how much fish have entered those states from Mississippi. He

AND One last question from Commissioner Jenkins referred to the disposition of the Winn Parish case. Then Chairman Jones asked Secretary Herring if the resolution to the District Attorney was recognized as having been received, if the Department was satisfied with the way this case had been handled, can the D.A. assess fines or is a judge the only one that can assess fines, what is a pre-trial intervention and where is it used? Commissioner Cormier gave a further explanation of what pre-trial intervention was and how it was used. Chairman Jones inquired what prosecuting a case like this would do to offenses down the road, if it would have an affect on how many there would be down the road. Commissioner Cormier questioned if the Department was properly handling the case, evidence and etc, with Secretary Herring mentioning discrepancies being looked into. Chairman Jones remarked that a person from the Attorney General's office had already looked at the case and found it to be very prosecutable. The only problem that has occurred is it will not make its way to the judicial system. Chairman Jones then inquired what would the first offense fines total for the 27 violations? He asked

AND Commissioner Gisclair asked what was the intention of the chair as far as the agenda went? Commissioner Mialjevich turned the discussion to the Operation Game Thief service and asked that the telephone number be distributed to the commercial industry.

Chairman Jones felt that the Department had done a good job in citing violators and ^{stressed} the need for these cases to get to the judicial system.

Mr. Donald Kinnair, President of the Plaquemines Parish Oyster Association, commented on a problem in the Lake Borgne and Mississippi Sound area with Mississippi boats coming in and fishing the reefs and going back to Mississippi. Then he requested that enforcement keep putting the pressure on the Mississippi fishermen.

Mr. Al Sunseri, owner of an oyster dealership in New Orleans, asked if enforcement could help with the legality of the Mississippi dealers getting Louisiana oysters and bringing them back to Mississippi. A question was, do these fishermen have to abide by Louisiana rules, and clarification was needed as to exactly what the law reads. Mr. Sincere thanked the Enforcement Division for the help on the recent oyster case.

The **Red Drum Report** was the next topic and discussion began with Mr. John Roussel giving a brief history of the report. Section 6 of Title 56 and also House Concurrent Resolution 277 of 1991 requires the Commission report to the Legislature annually on the status of red drum. Three separate issues ~~that~~ should be addressed: 1) biological condition profile and stock assessment; 2) the total allowable catch with probable allocations scenarios; and 3) a detailed explanation of whether or not gamefish status should be continued. The Department staff prepared a report for the Commission to consider in fulfilling this obligation. Then Mr. Roussel introduced Mr. Joey Shepard to review the stock assessment and the characterization of the current status of the stock. Mr. Joey Shepard began his presentation at this time explaining the graphs and charts that are in the report.

Commissioner Jenkins asked, why purse seines could not cause particular age groups to be missing from the catch, if a purse seine could target a certain size fish, what does the decline in catch effort say for the years 1990 through 1992 and from 1987 through 1989, and if the decline in 1988 through 1989 was due to the freeze? Commissioner Gisclair inquired, in the years 1990 and 1991, if the testing was more sophisticated. Commissioner Schneider questioned that without actually sampling the offshore waters, there is no way to know which scenario is accurate. Commissioner Jenkins asked if the National Marine Fisheries Service was not going to do an assessment in 1993, and what was the difference between what the Department was recommending the National Marine Fisheries Service do and what will be done this year? Commissioner Jenkins then commented that the basic recommendation was ~~there was~~ no increase in current fishery mortality on red drum. Chairman Jones asked when the report was to be presented to the legislature.

Commissioner Jenkins asked if the report had peer review.

Mr. Roy Trahan asked if what Mr. Roussel was trying to say was that they do not have any more fish now than they had five years. Mr. Roussel advised that it was just the opposite, that there were ~~tremendously~~ ^{MANY} more fish and the recovery of the stock has been rapid. The uncertainty has been with where the Department was when the recovery started. 490

Commissioner Schneider stated, if we had not done anything, we would not have any fish, but asked if what we did do was ~~work~~ ^{WORTH} it. Commissioner Jenkins stated that was the case in all fishery decline business. Chairman Jones asked for questions from the Commission. Commissioner Gisclair asked if the report to be submitted to the legislature had to have peer review.

Commissioner Mialjevich asked for an explanation to the statement, "if there was complete compliance with the current bag limit, an allocation of approximately 60,000 fish to the commercial fishery would be possible under Scenario 1 and approximately 125,000 fish under Scenario 2, without any change in the current daily bag limit". He then stated that, if the recreational bag limit was strictly enforced, there would be a harvestable amount of fish for the commercial industry.

Commissioner Jenkins asked about a recreational survey being conducted, if it was a federal survey, if the state had a current recreational survey, and if there were any plans for one in the future? He then proceeded to ask, when they interview a fisherman, do they ask how many redfish he caught, how many he caught and killed or caught and released or just caught, and when using these numbers, you are actually using fish that were caught and killed. 15

Commissioner Schneider asked why something was not done back in the 70's and then commented he wanted to be sure we did not have another crisis like we just went through or are going through. Commissioner Jenkins then asked, if the juvenile fish ~~would have~~ ^{HAD} been checked at that time, would you have known that they were gone? Commissioner Schneider questioned, in order to gain confidence, what exactly will need to be done, how much time elapses between the taking of the fish?

Chairman Jones asked for public comments.

Mr. Tee Roy Bourg said, if the sportfisherman would not get over the limit ~~and~~ there would be enough for commercial fishermen to harvest, why not let the commercial fishermen catch the fish and make a living off of it?

Mr. Jim Bourge commented the only thing he requested was that the Commission take into account the provisions of Act 708, that anything that will be recommended should be in a fair and equitable manner to everybody.

An unidentified person stated that there ^{was} ~~is~~ a need for a commercial fishery to prove the numbers of fish being caught. Then he added, why not have an allocation and check these fish and get your proper year classes?

Commissioner Mialjevich asked if fishermen would be allowed an allocation for commercial fishing and it was feasibly possible, would they be willing to take observers on the boats; did you read the report; wondered who did receive the report, and then asked if copies could be distributed to the people?

Chairman Jones commented the report was prepared for the Louisiana Wildlife and Fisheries Commission. Commissioner Jenkins stated that this was a Commission action, and until the Commission accepts the report, there is no report. Then he requested, in the future, getting this report a little earlier and commented the Commission should try to get the legislature to change the requirement from March 1st to April or May. Commissioner Schneider also commented the report was a lot better than last year and thank^{ed} the staff.

Commissioner Mialjevich requested that, in the future, ^{SOMEONE} provide the public with an opportunity to view pertinent documents that will be discussed before the meeting.

Mr. Henry Mouton commented about recreational fishermen exceeding the bag limit, ^{that} there will always be a few bad apples ^{STARTING} in every tree.

Mr. Roy Trahan remarked Mr. Mouton was right about the bad apples, but compared the differences in fines for recreational violators and commercial violators. He then asked the Commission to reach an agreement where both recreational and commercial fishermen could benefit.

Mr. Ted Loupe wondered how long ^(would it) take before the fish start affecting our crab and our shrimp industry if we allow these fish to keep coming. Commissioner Jenkins asked, if year's ago before anybody knew what a redfish was, ^{AND} there apparently were a lot of redfish, do you think the redfish affected the shrimp and crab crops back then, when they were plentiful? Mr. Loupe responded he felt it did and then asked, if you get rid of all the commercial fishermen, what will happen with all the fish?

Commissioner Mialjevich inquired ^{as to} what are the fish eating; has there been a study on how much shrimp or crabs these fish eat per day, and if we are bordering on upsetting the balance of nature?

Commissioner Cormier commented he heard a redfish eats 1/2 of its weight in shrimp and crabs per day and then said that the public should have access to this information.

Mr. Dave LeJeune mentioned he has seen a 3 or 4 pound redfish with close to a pound of shrimp in it and felt the fish are eating a lot of the crab and shrimp.

~~Chairman Jones asked for other public comments.~~

Mr. Ted Loupe suggested asking for a limited commercial fishery of a couple hundred thousand pounds so the staff can better assess the stock. Commissioner Jenkins commented this fish was a gamefish and the Commission could not do that. Then Mr. Loupe asked the Commission to recommend to the legislature the removal of gamefish status. Commissioner Jenkins read what the law said and the portion of the report that pertains to gamefish status. Mr. Loupe again asked if the Commission could not recommend to the legislature to remove gamefish status. Commissioner Jenkins stated that the item could be put on an agenda for discussion.

? Mr. Harry Brown from Cameron, Louisiana asked if one fish was taken away from the recreational people and applied to the commercial harvest, how many fish would there be? Then Mr. Brown continued with asking the Commission to consider the possibility of taking 2 fish from the recreational fisherman and giving these to the commercial fisherman, you would have about 300,000 fish. 7
stating

Mr. Steve Keffe, Jr. a practicing CPA spoke next. Comments Mr. Keffe made were, in the future, put "Draft for discussion purposes only" on reports such as this one so it can be discussed; and the Commission does have the authority to recommend or not recommend that gamefish status remain. Then Mr. Keffe polled each Commission member as to his understanding of their authority.

Commissioner Jenkins advised that this was a public comment period, not a question and answer period.

~~Chairman Jones asked for other public comments.~~

Mr. Henry Truelove asked Mr. Herring about the status of the Marine Finfish Panel he was appointed to serve on. Then Mr. Truelove read a resolution which asked the Commission to direct the Department staff to develop a plan to implement a commercial harvest of red drum based and to encourage the Legislature to adopt a resolution instructing the Department to implement this plan. to

Commissioner Mialjevich asked if there was a need for somebody to make a motion to accept this? Commissioner Jenkins reminded Commissioner Mialjevich that this was public comments time.

~~Chairman Jones again asked for other public comments.~~

Hearing none, Commissioner Jenkins made a motion to accept the Department's report as the Commission report and forward it on to the legislature before the March 1st deadline. Commissioner Schneider seconded the motion.

Chairman Jones asked for comments. Commissioner Gisclair requested to amend the motion that, along with sending the report, ~~that~~ a recommendation be sent for the legislature to look at the gamefish status and perhaps ~~changing it from a gamefish status.~~ *change* Commissioner Mialjevich seconded the amended motion.

his Commissioner Jenkins remarked that was not an agenda item, in ~~my~~ opinion. Commissioner Mialjevich stated it was in the report. Commissioner Jenkins stated it was not in the report; that making a recommendation on gamefish status has nothing to do with the agenda item.

Chairman Jones restated Commissioner Jenkins' motion that was on the floor and asked Commissioner Gisclair ~~what was his proposed~~ *For* amended motion. Commissioner Gisclair asked that the legislature reconsider the gamefish status of the redfish. Chairman Jones felt that these motions appeared to be two different issues. Commissioner Gisclair commented it was in the report and was number 3 in the report.

do
the commission should Commissioner Jenkins asked Commissioner Gisclair, instead of submitting the report as proposed ~~that~~ we change the part of the report the Department made on gamefish status and ask the Legislature to reconsider gamefish status? Commissioner Gisclair remarked that the legislature should read the report as it is but ~~also,~~ *ask* the legislature to consider changing the status of redfish.

Chairman Jones asked Mr. Mike Landrum for his opinion on the motion and the amended motion. Mr. Landrum mentioned it sounded more like a substitute motion and then felt it was not a proper item on the agenda and to move forward would mean having to take other action. Commissioner Gisclair decided then to put it on the agenda for the next meeting.

Commissioner Mialjevich asked Mr. Landrum, if the Commission would ask the legislature not to change gamefish, but to look into the validity of it, and a commercial harvest, could that be tacked on to this report at a later date and made part of it? Then Commissioner Mialjevich asked, was there any way he could add into this report that the legislature look at specific items? Commissioner Mialjevich tried to understand Mr. Landrum by asking again that the report could not be changed or amended without public hearings or putting it on the agenda.

Chairman Jones called for the vote on the motion to approve the redfish plan ~~as was~~ to be presented to the legislature on ~~our~~ ^{the} March 1st deadline. The motion passed unanimously.

Commissioner Mialjevich made ^{the matter} a motion to second Commissioner Gisclair's request that ~~would~~ be put on as an agenda item at the next meeting and that it be heard early on in the meeting.

The **Secretary's Report** to the Commission was given by Secretary Herring as the next item on the agenda. The Information & Education Division completed the 1991-92 annual report for the legislature; the July-August Louisiana Conservationist magazine will have a photo contest with the theme of Native Louisiana Habitat. Five Hunter Education Workshops were held which certified 16 educators and 350 students. The Aquatic Education Workshop certified 20 educators and arranged for Caddo Parish schools to have the program presented to them. An increase of Louisiana Conservationist subscriptions by 425 occurred during January.

The Shrimp Task Force had completed a draft for the Governor. A forum on by-catch was held at Southwestern University and Mr. Corky Perret presented a paper on this subject there. Mr. Perret was attending another meeting this week and presenting a paper also. The newly designed oyster tags have been distributed. The Marine Lab had been utilized by U.S. Soil Conservation Service and LSU as well.

^{Totaled} Fish stockings in the Atchafalaya Basin are continuing. To date stockings are 7,305 bass, 1,375,000 bream, 141,000 catfish, and 5,000 crappie. The water hyacinth's sprayed during the month ~~was~~ 421 acres and with the mild winters this year and in the past, these plants have not stopped growing and we are anticipating problems.

The staff has been attending meetings on the budget, ^{and have} been hearing of cuts for the 1993-94 year.

^{utilizing} Commissioner ^A Jenkins asked Secretary Herring about expenditures and breakdown of the different programs that will be ~~utilized~~ by the finfish marine license money.

Commissioner Mialjevich inquired ^{of} ~~to~~ Secretary Herring, if he was correct to assume that when the Department writes a report for the Commission, comments are made by the Commission and public, and then the Commission can not make any changes, that it has to be 100% okay or 100% rejection. Secretary Herring advised the Department was required to give the Commission a report and it was up to the Commission to do what they want with the report.

Mike Landrum reminded Commissioner Mialjevich of the question posed ^{which} was whether the issue of the Commission making a

recommendation to the legislature was properly on the agenda and stated it was not.

include Commissioner Jenkins stated the Commission had been through this discussion already. Commissioner Mialjevich made a motion to ~~put~~ the resolution as part of the report and reopen it.

Secretary Herring asked if you could add something to the agenda by bringing it up and getting a majority vote of the Commission. Commissioner Gisclair informed that it was ~~Roberts~~ *According to* Rules of Order.

Commissioner Mialjevich made a motion to suspend the rules, ~~so we can bring this up for discussion.~~ *6* Commissioner Vujnovich seconded the motion.

Commissioner Jenkins explained to Commissioner Cormier what ~~exactly~~ Commissioner Mialjevich was trying to do.

Chairman Jones asked for ¹ vote, by hand. Commissioner Vujnovich, Commissioner Mialjevich and Commissioner Gisclair ~~raised~~ *AND* their hand. Then Commissioner Jenkins stated ~~it was not a two-thirds majority, it would not be brought back up.~~ *one*

Chairman Jones called for **Public Comments**. Col. Vidrine handed out a report on Operation Game Thief, then Col. Charlie Clark read a resolution from the Louisiana Wildlife Agents Association.

Mr. Ted Loupe again asked why the Commission could not vote on having gamefish status removed from redfish so ~~they~~ *Commercial Fishermen* could have a harvest and then mentioned there was no discussion at the meeting even though it was in the report.

Then Commissioner Jenkins made a motion to **Adjourn** the meeting and was seconded by Commissioner Schneider.

Joe L. Herring
Secretary

JLH:sch

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
January 26, 1993

Edwin W. Edwards
Governor

MEMORANDUM:

TO: Joe L. Herring, Secretary
FROM: Lee Caubarreux, Assistant Secretary
SUBJECT: Aviation Report - December 1992

LC 1/26/93

Total hours listed are:

PILOT	TOTAL HOURS
G. Rackle	17.0
B. Stamey	29.9
M. Windham	2.7
D. Clause	14.4
TOTAL HOURS	64.0

-0- No Flights

PLANE	FLIGHT HOURS	ESTIMATED ¹ COST(TOTAL)	ACTUAL ² COST(TOTAL)
N61092 Amphib	11.9	1,480.48	1,611.94
70365 Float-DC	14.4	1,681.20	3,626.32
N2576K Float-MW	7.8	928.59	1,129.20
N9467Y 210	0.0	0.00	1,739.00
N223MS Partenavia	29.9	5,575.75	3,699.49
N57266 Aero Commander	0.0		
TOTALS	64.0	9,667.02	11,807.95

¹Estimated Cost is based on an historical average per flight hour.

²Actual Cost substitutes actual maintenance for the month for the average maintenance costs used in the previous figure. This is the only figure used in the calculation of estimated costs that varies significantly from month to month.

LGC:csg

cc: Debbie Unbehagen, Fiscal

December, 1992

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

PLANE: N25766 (AERO COMMANDER)

[illegible]

Changes Submitted for final Ratification of
Alligator Regulations

Subsection N. Number 10.

10. The alligator egg collection permittee and the landowner are responsible for the ~~physical~~ return of the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78%. Each alligator shall be returned to the original egg collection area within a maximum time of two (2) years from date of hatching. Each alligator shall be a minimum of 36" and a maximum of 60" (credit will not be given for inches above 60") in size and the returned sex ratio should contain at least 50% females. The alligator egg collection permittee/landowner are responsible for and must compensate in kind for alligator mortality which occurs for Department authorized return to the wild alligators; while being processed, stored, or transported. The Department shall be responsible for supervising the required return of these alligators. A Department transfer authorization permit is not required for return to the wild alligators which are delivered to the farm of origin no more than 48 hours prior to being processed for wild release. Releases back to the wild will only occur between March 15 and September 30 of each calendar year provided that environmental conditions as determined by the Department are favorable for survival of the released alligators. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the Department. Department sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this part is a class 4 violation as described in Title 56.

Subsection O. Number 1e.

(e) All controlled-temperature alligator sheds (environmental chambers) shall be of a design acceptable to the Department. Each shed shall ~~be capable of~~ maintaining a minimum ~~constant~~ water and air temperature of 80 degrees fahrenheit. Minimum space requirements for alligators housed in the shed shall be:

Subsection O. Number 4.

4. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers ~~capable of which~~ maintaining a minimum water and air temperature of 80 degrees fahrenheit year round and containing dry and wet areas of sufficient surface area to permit all alligators to completely submerge in water. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the Department to move them to outside growth areas. Violation of this part is a class 3 violation as described in Title 56.

Additional Alligator Regulation Changes

Subsection O.

4. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers which maintain a minimum water and air temperature of 80 degrees fahrenheit year round and containing dry and wet areas of sufficient surface area to permit all alligators to ~~completely~~ partially submerge in water. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the Department to move them to outside growth areas. Violation of this part is a class 3 violation as described in Title 56.

5. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet in length, and over four feet in length. Land and water areas sufficient for partial ~~complete~~ submersion or ~~complete~~ exit from water shall be provided for each group of alligators held. Violation of this part is a class 3 violation as described in Title 56.

RULE

Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

The Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission does hereby adopt a rule to amend the alligator regulations which govern the wild and farm alligator harvest. The alligator industry of Louisiana represents a renewable resource, valuable to the economy providing income to approximately 125 alligator farmers and in excess of 1,900 alligator hunters. The alligator farming program and the annual harvest of surplus wild and nuisance alligators is in keeping with wise wildlife management techniques based upon scientific research conducted by the Department of Wildlife and Fisheries.

The regulations governing the alligator harvest program and the alligator farming program are attached and may be viewed at the Wildlife and Fisheries Headquarters, 2000 Quail Drive, Baton Rouge, LA, phone: (504) 765-2812.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, 259, 261, 262, 263 and 280.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16:1070 (December 1990), Amended L.R. 17:892 (September 1991), Amended L.R. 19: (1993).

Bert H. Jones

Chairman

TITLE 76

WILDLIFE AND FISHERIES

PART V. WILD QUADRUPEDS AND WILD BIRDS

Chapter 7. Alligators

Section 701. Alligator Regulations

The Department of Wildlife and Fisheries does hereby establish regulations governing the harvest of wild populations of alligators and alligator eggs, raising and propagation of farmed alligators tanning of skins and regulations governing the selling of hides, alligator parts and farm raised alligators. The administrative responsibility for these alligator programs shall rest with the Department Secretary; the Assistant Secretary, Office of Wildlife; and the Fur and Refuge Division.

A. Purpose.

These regulations are to govern the taking, possession, selling, raising and propagation of alligators statewide, both in the wild and in captivity. They are enacted to prevent depletion or waste, while enhancing utilization of this renewable resource. These regulations are based upon scientific study and population monitoring and are consistent with federal requirements to qualify alligators and alligator parts from Louisiana for international export under the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Alligators in Louisiana are not endangered but their similarity of appearance to endangered

crocodilian species requires controls on commerce to minimize illegal trafficking of these species and to regulate and maintain the wild population of alligators. These regulations provide rules to enhance alligator farming operations; establish the methods of alligator harvest; establish minimum facility requirements for alligator farming; regulate commerce in alligators, eggs and parts; streamline necessary reporting requirements; and, establish a regulated nuisance alligator control program.

B. Definitions.

The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning:

1. Alligator - American alligator (Alligator mississippiensis).

2. Alligator Egg Collection Permit - A permit issued by the Department allowing for the collection of alligator eggs on designated properties described as part of the permit. The permit will be signed by the Secretary or his designee, the permittee and the landowner/land manager.

3. Alligator Farm (nongame quadruped) - An enclosed area, constructed so as to prevent the ingress and egress of alligators from surrounding public or private lands or waters

and meeting other specifications and requirements set by the Department, where alligators are bred, propagated, or raised as a commercial enterprise under controlled conditions. "Alligator Farm" also includes alligator ranching wherein eggs are collected from the wild, and raised, pursuant to departmental license or permit.

4. Alligator Farmer - A properly licensed person who raises alligators under controlled conditions which prohibit free movement of the animals onto and off of the farm or controlled area, or who collects and sells wild alligator eggs, and who may harvest alligators under the supervision of the Department. An alligator farmer must possess a valid nongame quadruped breeder's license.

5. Alligator Hide Tag - An official CITES serially numbered tag issued by the Department.

6. Alligator Hunter - A properly licensed resident or nonresident person who takes wild alligators. Resident hunters are divided into four classes:

(a) Commercial - Anyone who is licensed by the Department to take wild alligators after having filed application(s) approved by the Department which authorize the issuance of alligator hide tags to him.

(b) Helper - Anyone who is licensed by the Department to

assist a commercial hunter during alligator harvest activities; alligator hide tags cannot be issued to a helper license holder.

(c) Sport - Anyone who is licensed by the Department and guided by a commercial hunter during alligator harvest activities; alligator hide tags cannot be issued to a sport license holder.

(d) Nuisance - A licensed alligator hunter who is contracted or otherwise selected by the Department to remove designated nuisance alligators and who can be assigned alligator hide tags by the Department.

7. Alligator Part - Any part of the carcass of an alligator, except the hide and includes the bony dorsum plates, if detached from the tagged alligator hide.

8. Alligator Parts Dealer - Any properly licensed person who deals in alligator parts other than hides and who:

(a) Buys unprocessed alligator parts from an alligator hunter, another parts dealer, or an alligator farmer for the purpose of resale; or

(b) Manufactures within the state non-edible alligator parts into a finished product; or

(c) Purchases unprocessed alligator meat or processes alligator meat for wholesale or retail sale.

9. Alligator Parts Retailer - Any properly licensed person who purchases for retail sale finished alligator parts made from parts other than hides.

10. Alligator Shipping Label - A serially numbered green label issued by the Department required on each shipment of alligators being transported out of the state.

11. Bona Fide Resident (1) - Any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile, as demonstrated with all of the following, as applicable:

(a) If registered to vote, he is registered to vote in Louisiana.

(b) If licensed to drive a motor vehicle, he is in possession of a Louisiana driver's license.

(c) If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that

vehicle.

(d) If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

(2) As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the officers, partners, or employees are domiciled in Louisiana.

12. Closed Season - That period of time of a calendar year not specifically included in the open season.

13. Commission - The Louisiana Wildlife and Fisheries Commission.

14. Common Carrier - Any agency or person transporting passengers or property of any description for hire.

15. Confiscation - The exercise of a right under the police power wherein property is seized and held pending court order if the seized material is nonperishable, or disposed of without judicial intervention if perishable.

16. Consumer - Restaurants and other places where alligator, fish, shrimp, or other aquatic life is prepared for human consumption; or any person using alligator, fish, shrimp, or other aquatic life for bait or personal consumption.

17. Department - The Louisiana Department of Wildlife and Fisheries.

18. Designated Collection Agent - Anyone who is permitted by the Department to assist an alligator egg collection permittee during alligator egg collection.

19. Dressing, Dressed Skins or Dressed Furs - (See "Tanning").

20. Finished Alligator Part - Any non-edible alligator part that has been completely processed from parts other than hides for retail sale.

21. Fur Buyer - Anyone who buys whole nongame quadrupeds for the purpose of pelting, carcasses of fur bearing animals, raw furs or skins from fur trappers, alligator hunters, alligator farmers, fur buyers, or fur dealers and who sells to another fur buyer or fur dealer within the confines of the state or to a nonresident fur dealer licensed by the State of Louisiana in interstate commerce, or who acts as an agent of another fur buyer or fur dealer in this state in such purchase or sale.

Fur buyers are divided into two classes, resident and nonresident. Resident fur buyers are those who are bona fide residents of this state. All others are nonresident fur buyers.

22. Fur Dealer - Anyone who deals in whole nongame quadrupeds for the purpose of pelting, carcasses of fur bearing animals, raw furs and skins and who:

- (a) Buys from a fur trapper, alligator hunter, or alligator farmer, either directly or indirectly, and ships or exports from this state, either directly or indirectly, the raw furs and skins so bought; or

- (b) Buys from a fur buyer or other fur dealer and exports from this state the raw furs and skins so bought; or

- (c) Buys from a fur trapper, alligator hunter, alligator farmer, fur buyer, or other dealer and sells such raw furs and skins for manufacturing into a finished product in this state; or

- (d) Manufactures such furs and skins into a finished product in this state, buying directly from a fur trapper, alligator hunter, alligator farmer, fur buyer, or fur dealer; or

(e) Transports raw furs or skins into this state for the purpose of sale within the state. Fur dealers are divided into two classes, resident and nonresident. Resident fur dealers are those who are bona fide residents of this state. All others are nonresident fur dealers.

(f) Converts raw alligator skins through the tanning process into finished or partially finished leather and/or converts raw (green or dried) fur pelts into dressed furs ready for manufacturing.

23. Hatchling - A young of the year alligator which is less than twenty three (23) inches in length.

24. Hide - (See "Pelt").

25. Hook - Any curved or bent device attached to a line or pole for the purpose of taking alligators.

26. Hunt - In different tenses, attempting to take.

27. Incubator - An apparatus designed and used for the primary purpose of incubating alligator eggs.

28. Land Manager - Any authorized person who represents the landowner.

29. Landowner - Any person who owns land which the Department has designated as alligator habitat.

30. Licensee - Any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.

31. Nongame Quadruped - Alligators, beavers, bobcats, coyotes, gray foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks, and other wild quadrupeds valuable for their furs or skins.

32. Nongame Quadruped Breeder - A person properly licensed to engage in the business of raising, exhibiting and selling nongame quadrupeds on alligator or fur farms.

33. Nongame Quadruped Exhibitor - A person properly licensed to engage in the business of raising and/or exhibiting nongame quadrupeds.

34. Nonresident - Any person who is not a bona fide resident as that term is defined by R.S. 56:8(12).

35. Nuisance Alligator - A specific (particular) alligator that poses a threat to human life or property.

36. Open Season - That period of time set by the Louisiana Wildlife and Fisheries Commission, during which wild alligators or their eggs may be lawfully taken.

37. Out-of-State Shipping Seal - A special locking device or seal supplied by the Department and placed on or across a shipping container by Department personnel prior to shipping out-of-state.

38. Out-Of-State Shipping Tag - An official, serially numbered tag, yellow in color, issued by the Department required on each shipment of alligator hides shipped out of state.

39. Part - For purposes of this section, a part is a division of a subsection.

40. Pelt - The skin or hide of a quadruped.

41. Pelting - Removing the skin and/or fur of a quadruped in such a manner as to render it marketable.

42. Person - Includes any individual person, association, corporation, partnership, or other legal entity recognized by law.

43. Pole Hunting - The act of taking an alligator from a den with a hook pole or snagging device of any type and includes

using such devices to induce an alligator to move from a den prior to taking.

44. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, or holding as owner, or as agent, bailee, or custodian for another.

45. Processed Alligator Part - Any part (and its resulting products) that has been removed from a legally taken alligator and for commercial purposes converted into a finished alligator part, or meat prepared and packaged for retail sale.

46. Propagation - The holding of live alligators for production of offspring.

47. Raising - The production of alligators under controlled environmental conditions or in outside facilities.

48. Rearing - (See "Raising").

49. Resident - (See "Bona Fide Resident").

50. Secretary - The secretary of the Louisiana Department of Wildlife and Fisheries.

51. Skin - (See "Pelt").

52. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

53. Tanning - The conversion of alligator skins or fur pelts into an intermediate or finished form and includes the following: crust tanning alligator leather, dyeing alligator leather, glazing alligator leather, tanning fur pelts, shearing fur pelts, and dyeing fur pelts, and includes the dressing of skins and furs.

54. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

55. Wildlife - All species of wild vertebrates.

56. Wildlife Management Area - Any area set aside, maintained, and supervised by the Department for the purpose of managing and harvesting wild birds, wild quadrupeds, fish and other aquatic life under controlled conditions to afford maximum public hunting and fishing opportunity.

57. Wildlife Refuge - Any area set aside and designated by the

Department as a refuge on which wild birds and animals are protected. Control of certain forms of wildlife may be conducted by the Department.

C. General Rules.

1. No person shall take, possess, purchase or sell alligators, alligator eggs, alligator hides, alligator parts, or goods manufactured from alligators, except as provided in these regulations and LA. R.S. Title 56.

2. Each alligator, alligator hide, alligator egg, or alligator part taken or possessed in violation of these regulations shall constitute a separate offense.

3. Alligators or hides of alligators harvested in Louisiana shall be tagged in accordance with provisions as prescribed in Sec. F, paragraph 5 of these regulations and deviation from those requirements shall be a violation and subject hides to confiscation. Violation of this part is a class 4 violation as described in Title 56.

4. Pole Hunting is prohibited. It is legal for a hunter to retrieve a shot alligator with a hook pole or to retrieve with a hook pole an alligator taken on a hook and line. Violation of this part is a class 2 violation as described in Title 56.

5. An alligator hunter must possess on his person one or more current alligator hide tags issued for the property on which he is hunting; and if participating in a joint hunting operation at least one licensed hunter needs to possess current hide tags issued for the property on which they are hunting among a group of licensed hunters who are physically present in the same location. Violation of this part is a class 2 violation as described in Title 56.

6. No person shall release any alligator from any taking device for any purpose without first dispatching the alligator. After the alligator is removed from the taking device the hide tag shall be properly attached immediately upon possession. Violation of this part is a class 4 violation as described in Title 56.

7. Taking or collection of any wild alligator illegally is strictly prohibited. Violation of this part is a Class 4 violation for each alligator taken as described in Title 56. All alligators taken in violation of this part shall be confiscated and in addition to all other penalties provided herein, all alligator licenses of any type held by the offender(s) shall be revoked for a period of three (3) calendar years. If violation(s) of this part involves a farm operation, no alligators shall be raised or propagated on the offender's facilities for a period of three (3) calendar years. Any live alligator(s) confiscated pertinent to any

violation of this part must be returned to the wild when appropriate. Selection of the release site and time of year of the release shall be accomplished only after consultation with and in agreement with biological staff of Fur and Refuge Division.

8. The shipment of alligator eggs out of state is prohibited except where special scientific permits have been obtained in advance from the Department which specify all such shipments. Violation of this part is a class 4 violation as described in Title 56.

9. Transportation of alligator(s) into this state without prior written approval of the Department is strictly prohibited. Violation of this part is a class 4 violation as described in Title 56.

10. It is unlawful to ship alligator eggs into the State of Louisiana unless they are to be used for Department sponsored scientific studies and these shipments shall have prior written Department approval. Violation of this part is a class 4 violation as described in Title 56.

11. The shipment of live alligators or alligator eggs out of the United States is strictly prohibited unless they are used for Department sponsored scientific studies with an accompanying authorization signed by the Secretary. The

transfer of ownership of live alligators out of their natural range for commercial purposes is strictly prohibited. However, this part does not prohibit a licensed Louisiana alligator farm from raising alligators of Louisiana origin in a non-range state provided the non-range farm is in complete compliance with all applicable state(s) and federal regulations. Violation of this part is a class 3 violation as described in Title 56.

12. There is levied a severance tax of twenty-five cents on each alligator hide taken from within the state, payable to the state through the Department by the alligator hunter or alligator farmer shipping or taking his own catch out of state, or by the dealer shipping skins or hides out of state or tanning alligator skins in Louisiana. Violation of this part is a class 2 violation as described in Title 56.

13. An alligator hunter or alligator farmer may give alligator parts to anyone for personal use. Any part of an alligator shall have affixed thereto the name, address, date, hide tag number, and the license number of the person donating the alligator part(s). This information shall be legibly written in pen or pencil on any piece of paper or cardboard or any material which is attached to the part(s) or to the container enclosing the part or parts. This information must remain affixed until the part(s) has been stored at the domicile of the possessor. Violation of this part is a class 2 violation

as described in Title 56.

14. A. R.S. 56:280, passed in the regular session of the 1992 Louisiana Legislature established a state policy which protects white or albino alligators and except under department permit prohibits the taking of white or albino alligators from the wild.

B. Conditions under which any alligator that is white or albino may be taken from the wild and under official department permit include:

1. Landowners or licensed alligator farmers or ranching operators may capture live and unharmed a white or albino alligator for its own protection. All such instances of possession shall be reported immediately to the Department.

2. Any white or albino alligator hatchling produced from wild collected eggs authorized by a Department Alligator Egg Collection Permit will remain in the possession of such licensed operators. Any white or albino hatchling must be reported immediately upon hatching to the Department on a standard activity report form.

3. Any person who unintentionally takes from the wild any alligator that is white or albino by hook and line shall

immediately report its presence and location to the Department. Department personnel of the Fur & Refuge Division will on a case by case basis determine the disposition of any such white or albino alligator which is unintentionally hooked.

C. Any white or albino hatchling produced from a licensed breeding pen will remain in the possession of such licensed operators but must be reported immediately upon hatching to the Department on a standard activity report.

D. It shall be a violation if any person intentionally takes from the wild any alligator that is white or albino by any means.

E. Violation of R.S. 56:280 shall subject the violator to a fine of not less than ten thousand dollars and imprisonment for not less than six months or more than 12 months, or both.

15. Alligator meat and parts may be shipped in containers that are sealed and the parts identified to the CITIES tag of origin. A fully executed alligator hunter, farmer, or parts dealer Alligator Parts Sale or Transaction form shall meet the U.S. Fish and Wildlife Service parts identification requirements, provided such form(s) is/are prominently attached to the outside of each shipping container. Alligator meat/parts shipped to another state must meet applicable

state/federal requirements of the receiving state. Alligator meat/parts exported from the United States must meet the requirements of the U.S. Fish and Wildlife Service as well as those of the receiving country. Alligator skulls being exported shall carry a "tag" containing the CITIES tag number and the hunter's name and license number. The skull must also be physically marked with the number of the original CITIES tag used for the hide of the individual alligator. Violation of this part is a class 3 violation as described in Title 56.

D. Licenses, Permits and Fees.

1. The licenses and fees required for activities authorized by these regulations are as prescribed under provisions of Title 56, or as prescribed in these regulations, and are:

(a) \$25 for a resident alligator hunter's license; including commercial, helper, sport, and nuisance types.

(b) \$150 for a nonresident alligator hunter's license

(c) \$25 for a resident fur buyer's license;

(d) \$100 for a nonresident fur buyer's license;

(e) \$150 for a resident fur dealer's license (\$500 deposit required);

(f) \$300 for a nonresident fur dealer's license (\$1,000 deposit required);

(g) \$10 for a nongame quadruped exhibitor's license;

(h) \$25 for a nongame quadruped breeder's license;

(i) \$50 for a alligator parts dealer license;

(j) \$5 for a alligator parts retailer license;

(k) \$4 for each alligator hide tag;

(l) \$4 for each whole alligator leaving the state as alligator shipping label fee;

(m) \$0.25 severance tax for each alligator hide taken from within the state;

(n) \$25 for a Designated Agent Collection Permit.

All license types prescribed above except nongame quadruped exhibitor and breeder expire annually on June 30. Nongame quadruped exhibitor and breeder licenses expire annually on December 31.

2. No person may take, attempt to take, or possess a wild alligator in this state during the open season for taking wild alligators unless he or she has acquired and possesses an alligator hunter's license. An alligator hunter must have in possession a valid alligator hunter license to take or sell alligators, their skins, or parts. Violation of this part is a class 3 violation as described in Title 56.

3. No person may engage in the business of buying and selling alligators or alligator skins unless he has acquired a resident or nonresident fur buyer's license. No resident or nonresident fur buyer shall ship furs, alligators, or alligator skins out of state. Violation of this part is a class 3 violation as described in Title 56.

4. No person may engage in the business of buying and selling alligator or alligator skins or shipping alligator skins out of state or tanning alligator skins within the state unless he has acquired a resident or nonresident fur dealers license. Violation of this part is a class 3 violation.

5. No person may engage in the business of raising and/or exhibiting alligators unless he or she has acquired and possesses a valid nongame quadruped exhibitor license. Violation of this part is a class 3 violation as described in Title 56.

6. No person may engage in the business of raising, breeding, collecting and selling alligator eggs from the wild, propagating, exhibiting and selling alligators alive or selling their parts, and killing and transporting them and selling their skins and carcasses unless he or she has acquired and possesses a valid nongame quadruped breeder license and complies with Subsections N and O of these regulations. Violation of this part is a class 3 violation as described in Title 56.

7. No person shall engage in the business of buying and selling unprocessed alligator parts unless he has acquired and possesses a valid alligator parts dealer license. Violation of this part is a class 2 violation as described in Title 56.

8. Each retailer purchasing for retail sale, finished alligator parts made from parts other than hides, shall secure from the department an alligator parts retailer license prior to commencing business. Violation of this part is a class 2 violation as described in Title 56.

9. No person shall remove and possess alligator eggs from wild nests unless he has acquired and possesses a valid nongame quadruped breeder license or a valid Designated Agent Collection Permit and also has in his possession a valid alligator egg collection permit. Egg collection permits will only be issued to those persons who demonstrate competency in

egg collection and handling, have necessary equipment accessible and comply with all Department requirements as described in Subsection N of these regulations. Violation of this part is a class 4 violation as described in Title 56.

10. No person shall ship or transport alligators out of the state without first applying for and receiving an alligator shipping label which shall be affixed to each shipment of alligators and is properly completed and validated by Department personnel. Violation of this part is a class 3 violation as described in Title 56.

11. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the severance tax prior to shipment. Violation of this part is a class 2 violation as described in Title 56.

12. Valid holders of alligator hunter license, nongame quadruped breeder license, fur dealers license and alligator parts dealer license must comply with the receiving state/country requirements and with federal licensing, tagging and permit requirements to engage in interstate and international commerce involving alligators, alligator hides, alligator parts and fully manufactured alligator hide

products. Violation of this part is a class 2 violation as described in Title 56.

E. Wild Harvest Methods.

1. Alligators taken from the wild may be removed from hook and line, and other legal capture devices which may be used, only during daylight hours, between official sunrise and official sunset. Violation of this part is a class 4 violation as described in Title 56.

2. There are no size restrictions on wild alligators taken during the general open season.

3. Legal methods for taking alligators in the wild are as follows:

- (a) Hook and line;
- (b) Long (including compound) bow and barbed arrow; and
- (c) Firearms.

Violation of this part is a class 2 violation as described in Title 56.

4. Hooks and arrows may be used only when a line of at least 300-pound test is securely attached to the hook or head of the arrow in such a manner to prevent separation from the hook or head until the carcass is retrieved. The other end of the

line must be attached to a stationary or floating object capable of maintaining the line above water when an alligator is attached. Violation of this part is a class 2 violation as described in Title 56.

5. Alligator hunters shall inspect their hooks and lines and remove captured alligators daily. Alligators shall not be cut loose from hooks and lines for the purpose of selecting larger alligators. All hooks and lines shall be removed when an alligator hunter's quota is reached. In the event an alligator is hooked and the hunter's quota has been reached the hunter must release the alligator in the most humane method possible. Violation of this part is a class 2 violation as described in Title 56.

6. Baited hooks and lines may be set no more than 24 hours prior to the general open season and shall be removed no later than sunset of the last day of the open season. Violation of this part is a class 2 violation as described in Title 56.

7. No person possessing alligator hide tags issued for privately-owned land or water may take alligators on adjacent publicly-owned water unless the taking device is anchored to privately-owned land or the person is on privately-owned land when the taking occurs, provided that any alligator captured on a legal taking device that is anchored to privately-owned land or held by a person on privately-owned land may be

dispatched from a floating craft on public water. Violation of this part is a class 2 violation as described in Title 56.

8. A person possessing alligator hide tags for publicly-owned areas may take alligators by legal means from a floating craft on public water for which the tags are issued.

F. Alligator Hide Tag Procurement and Tagging Requirements.

1. Alligator hide tags may be obtained as follows and only to properly licensed alligator hunters and nongame quadruped breeders.

2. Landowners, Land Managers and Hunters - upon application to the Department on forms provided for tag issuance. Applications for alligator tag allotments will be taken annually beginning August 1 and ending 10 days after the season opens. Tags will not be issued after the 10th day following the season opening date.

(a) Maximum tag issuance to individual landowners, land managers, or their hunters shall be determined solely by the Department. Landowners, land managers, or their hunters shall certify total acreage owned or represented on a form prescribed by the Department at the time of application. The location and acreage of the property must be provided which includes parish, township, range

and section delineation figures.

(b) Land managers and hunters must present a notarized document from the landowner verifying their selection to represent that landowner and the total acreage represented to obtain hide tags.

(c) Payment for all alligator tags shall be received by the Department prior to issuance. Numbered alligator hide tags shall only be issued in the name of the license holder and are nontransferable. A refund will be issued for all unused alligator tags which are returned within 15 days following the close of the season.

3. Alligator farmers - upon request and receipt of payment to the Department at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by Department personnel. A refund will be issued for all unused alligator tags returned to the Department within 15 days following the last day of the year that issued tags are valid.

4. If an alligator hunter is cited for hunting alligators out of season, or at night, or on property other than that for which hide tags were issued, all unused hide tags and alligators in possession shall be confiscated and the violator's alligator hunting license shall be revoked.

Violation of this part is a class 4 violation as described in Title 56.

5. A hide tag shall be properly attached and locked using the tag's locking device in the alligator's tail immediately upon possession by an alligator hunter. Alligator farmers, fur buyers and fur dealers may wait until farm raised alligators are skinned prior to tagging, but under no circumstances can the tag be attached using the locking device more than 48 hours after dispatching the alligator. Live or dead farm raised alligators may be transported with their accompanying tags from a licensed alligator farm to a licensed processing facility, however each shipment shall be accompanied with the exact number of alligator hide tags. In the event that an alligator tag contains a factory defect rendering it unusable for the purpose intended or becomes detached from an alligator or hide, the tag must be reattached to the tail of the alligator/hide. The Department will be responsible for the replacement of reattached tags prior to shipping out-of-state or prior to tanning within the state. It shall be unlawful to tag or attempt to tag an alligator with a tag that has been locked prior to the taking. Locked tags may be replaced upon request at the discretion of the Department. The alteration of hide tags is strictly prohibited and will result in the confiscation of all tags and alligators/hides and the revocation of the violator's alligator hunting license. Violation of this part is a class 4 violation as described in

Title 56.

6. In the event that an alligator hide tag cannot be located when in the possession of a Buyer/Dealer, then the following procedure shall be followed:

(a) Following discovery of an untagged alligator or alligator hide by the Buyer/Dealer, they shall notify the Department of Wildlife & Fisheries, Fur & Refuge Division within 24 hours and the Department of Wildlife & Fisheries will place a state tagging device on the alligator or alligator hide.

(b) Upon discovery of an untagged alligator or alligator hide by Department of Wildlife & Fisheries personnel, such personnel shall place a state tagging device on the alligator or alligator hide.

(c) The State tagged alligator or alligator hide will remain in the possession of the Buyer/Dealer following the placement of the State tagging device until such time as the hide tag is located or until December 31st of that year, whichever comes first. Upon presentation of the missing hide tag and the corresponding Buyer/Dealer record which documents a match between the tag number and the alligator/hide being held, and if the Department of Wildlife and Fisheries then confirms that such tag number

has not been previously shipped, the Department of Wildlife and Fisheries shall attach a replacement alligator hide tag.

(d) If the Buyer/Dealer does not locate the missing hide tag following the placement of the State tagging device by the end of the allotted time period but is able to identify the tag number on a Department of Wildlife & Fisheries issued or approved Buyer/Dealer record which documents a match between the tag number and the skin being held, and if the Department of Wildlife & Fisheries then confirms that subject tag number has not been previously shipped, the Department of Wildlife & Fisheries may, in its discretion, issue a replacement alligator hide tag.

(e) The failure of the Buyer/Dealer to produce the correct hide tag and/or correct documentation by the end of the allotted time period shall constitute a violation of this part.

(f) The previous or subsequent attachment to an alligator or alligator hide of the missing hide tag as described above shall constitute a violation of this part.

(g) Violation of this part is a Class 4 violation as described in Title 56.

G. Open Season, Open Areas, and Quotas.

1. Open seasons are as follows:

(a) The general open season for taking alligators in the wild may be established annually by the Commission at their regular July meeting. The Secretary shall be authorized to close, extend, delay, or reopen the season as biologically justifiable.

(b) Nuisance control hunters may take nuisance alligators at any time as prescribed by the Department.

(c) Farm raised alligators may be taken at any time following the issuance of hide tags by the Department.

(d) The open season for collection of alligator eggs from the wild shall be from May 15 through September 1 of each calendar year. Violation of this subpart is a class 4 violation as described in Title 56.

2. The open areas are as follows:

(a) For the general open season, those areas designated by the biological staff of the Department as alligator habitat and which can sustain an alligator harvest.

(b) The Department may select public lakes and lands for an experimental alligator hunting program. The harvest will be controlled by a tag allotment for each lake as determined by Department personnel. Applicants for public lake hunting must be 16 years of age or older. Applications must be received at least 10 days prior to the season opening date. A public drawing will be held to select hunters. An alligator hunter can receive tags for and hunt on only one public lake per season. The tag quota for each lake and hunter will be established by the biological staff of the Department. Alligator tags issued on public lakes and lands are nontransferable.

(c) Wild alligators in the remainder of the state may be taken only under provisions as prescribed by the Department.

(d) The open alligator egg collection season shall be those areas designated by the biological staff of the Department as alligator habitat which can sustain an egg collection harvest and egg quotas will be determined by Department biologists.

3. The daily and season quota is equal to the number of valid alligator hide tags that a licensed alligator hunter possesses. Violation of this part is a class 4 violation as

described in Title 56.

4. Non resident alligator hunters may only take three (3) alligators during the open season. Violation of this part is a class 3 violation as described in Title 56.

5. Harvest rates will be calculated annually by Department personnel based on biological data. Alligator hide tag allotments will be established prior to issuance of alligator hunting licenses.

H. Possession.

1. No person shall possess alligators or alligator hides in Louisiana without valid official tags properly attached in the tail using the locking device as prescribed in Section F, paragraph 5. Violation of this part is a class 4 violation as described in Title 56.

2. Alligator farmers may request hide tags or shipping labels from the Department to be used on farm-raised alligators that have died and may hold those alligators in freezers until receipt of the requested hide tags or shipping labels. These alligators may be held in freezers for a maximum of 60 days prior to disposal. All alligators 24 inches and greater in length that die may be skinned and tagged with an alligator hide tag within 48 hours of death. Violation of this part is

a class 3 violation as described in Title 56.

3. No person other than a licensed alligator hunter, licensed alligator farmer, licensed fur buyer or licensed fur dealer may possess a tagged or labeled alligator, a tagged raw or salted hide of an alligator at any time, provided that legally documented tagged or labeled alligators or tagged hides may be possessed without license while in transit, or during processing for tanning or taxidermy. However, properly tagged and documented alligators or hides may be stored at any location at the owner's discretion. Violation of this part is a class 4 violation as described in Title 56.

4. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess live alligators at any time other than by a permit issued by the Department upon request for use in displays and educational purposes, and by holders of valid Department issued permits for scientific purposes. Live, farm raised alligators and their accompanying alligator hide tags may be held for processing by a properly licensed alligator skinning facility without a license or permit. Violation of this part is a class 4 violation as described in Title 56.

5. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess alligator eggs at any time other than Department permitted Designated

Collection Agents assisting a licensed and permitted alligator farmer during wild egg collection, or a holder of a valid Department issued permit for scientific purposes. Violation of this part is a class 4 violation as described in Title 56.

6. Any alligators hatched from scientific permits issued by the Department shall be returned to the wild under Departmental supervision following completion of the research project. Violation of this part is a class 2 violation as described in Title 56.

I. Importation, Exportation, Purchase, and Sale.

1. Alligators, alligator hides (raw or salted), or parts of alligators, may be brought into the state only if the alligators, alligator hides or parts of alligators were lawfully taken in another state or country and the person, firm or corporation bringing the alligators, alligator hides (raw or salted), or alligator parts into the state has obtained written permission from the Department. Violation of this part is a class 4 violation as described in Title 56.

2. All alligators, alligator hides (raw or salted), or parts of alligators possessed, sold, purchased, exported, imported, or brought into the state from another state shall be accompanied by documented evidence that they were lawfully taken. Documented evidence shall consist of, but not be

limited to:

(a) A resource user license or permit number allowing the taking of alligators and tags or other identification required by the state or country of origin shall be firmly attached to the alligator, alligator hide, or parts of alligators; and

(b) A tag or label is affixed to the outside of any package or container of alligators, alligator hides, or alligator parts that specifies type of contents, indicates quantity contained, and lists applicable license or permit numbers.

Violation of this part is a class 2 violation as described in Title 56.

3. Purchases of alligators, alligator hides, alligator eggs, and alligator parts are restricted as follows:

(a) A licensed alligator hunter may not purchase alligators or alligator hides from anyone.

(b) A licensed fur buyer may purchase whole alligators or alligator hides from a Louisiana licensed alligator hunter, licensed alligator farmer, licensed fur dealer, or another fur buyer.

(c) A licensed fur dealer may purchase whole alligators or alligator hides from a licensed alligator hunter, licensed alligator farmer, fur buyer or another fur dealer.

(d) A licensed alligator farmer may purchase live alligators only from another licensed alligator farmer (with a Department approved Alligator Transfer Authorization Permit) or the Department.

(e) An alligator farmer may purchase alligator eggs only from another alligator farmer, a landowner/land manager (with an approved Department alligator egg collection permit), or the Department.

(f) A licensed alligator parts dealer may purchase alligator parts from a licensed alligator hunter, alligator farmer, another alligator parts dealer, or the Department.

(g) A licensed alligator parts retailer may purchase finished alligator parts for retail sales.

4. Sales of alligators, alligator eggs, and alligator parts are restricted as follows:

(a) A licensed alligator hunter may sell alligators, alligator hides, or alligator parts taken by the licensee during the general open season to anyone who may legally purchase.

(b) A licensed alligator farmer may sell alligators, alligator eggs, alligator hides, or alligator parts to anyone who may legally purchase. The sale of alligator eggs or live alligators shall only occur following the issuance of a Transfer Authorization Permit. Application for the permit shall be made at least 2 weeks prior to the transfer.

(c) A licensed fur buyer may sell whole alligators or alligator hides to a fur dealer or another fur buyer within the confines of the state.

(d) A licensed fur dealer may sell whole alligators or alligator hides to anyone who may legally purchase.

(e) A licensed alligator parts dealer may sell alligator parts, other than hides, to anyone.

(f) A licensed alligator parts retailer may sell finished alligator parts to anyone.

5. Legally tagged and documented alligators, alligator hides,

and parts of alligators taken in Louisiana may be shipped out of state or exported by alligator hunters, alligator farmers, fur dealers and alligator parts dealers subject to Subsection K of these regulations (relating to Report Requirements) provided that no live alligators or eggs originating in Louisiana may be exported outside of their natural range without specific Department authorization and the concurrence of the United States Fish and Wildlife Service, to be used only for scientific purposes. Violation of this part is a class 3 violation as described in Title 56.

6. A special permit is required of anyone who sells alligator eggs, or live alligators. Violation of this part is a class 4 violation as described in Title 56.

J. Nuisance Alligator Control.

1. Nuisance alligator hunters will be selected by the Department with proper screening by enforcement personnel in the region of appointment. Selection may be based upon recommendations received from the local governing body. Applicants with prior alligator hunting violations will be rejected.

2. Nuisance alligator hunters shall purchase a valid alligator hunter license and are bound by all laws, rules and regulations governing alligator hunting with the exception

that nuisance alligators may be taken at anytime.

3. Nuisance alligator complaints will be verified by Department personnel prior to being approved for removal.

4. Tags will be issued to nuisance alligator hunters. Nuisance alligator hunters will attempt to catch nuisance alligators and relocate to natural habitat selected by the Department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this part is a class 4 violation as described in Title 56.

5. Nuisance alligator hunters may take alligators by any means prescribed by the Department. Failure to comply with Departmental instructions may result in immediate termination of the individual's participation in the nuisance alligator program. Violation of this part is a class 2 violation as described in Title 56.

K. Report Requirements.

1. Report forms provided by or approved by the Department must be completed and filed with the Department by all persons who

have been issued an alligator hunter's license, fur buyer's license, fur dealer's license, nongame quadruped exhibitor's license, nongame quadruped breeder's license, alligator parts dealer's license, or alligator egg collection permit in accordance with this Subsection. Reports shall include but not be limited to the information specified in this Subsection.

2. Alligator hunters receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form furnished by or approved by the Department at the time of each alligator part transaction. These forms shall be submitted to the Department at the end of the calendar year.

(b) Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the close of the season. Lost or stolen tags will not be replaced.

(c) All unused tags must be returned to the Department within 15 days following the close of the season. Tag fees will only be reimbursed during this specific time period.

(d) The Department must be notified of any trophy skins not sold to commercial buyers or dealers within 30 days following the close of the season, on official forms provided by or approved by the Department.

(e) Each licensed alligator hunter selling alligator parts to a person or a restaurant shall provide that person with a bill of sale for each transaction.

(f) All records of commercial transactions involving alligator parts by alligator hunters shall be available for inspection by the Department.

Violation of this part is a class 2 violation as described in Title 56.

3. A nuisance alligator hunter shall comply with the same report requirements as a commercial alligator hunter and complete any other reports required by the Department. Violation of this requirement shall result in immediate termination of nuisance alligator hunter status. Violation of this part is a class 2 violation as described in Title 56.

4. Alligator farmers receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form, furnished by or approved by the Department at the time of each alligator parts transaction. These forms shall be submitted to the Department along with the annual report. Violation of this part is a class 2 violation, as described in Title 56.

(b) Complete an official lost tag form, furnished by the Department, for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the last day of the year that issued tags are valid. Lost or stolen tags will not be replaced. Violation of this part is a class 2 violation as described in Title 56.

(c) All unused hide tags must be returned to the Department within 15 days following the last day of the year that issued tags are valid. Violation of this part is a class 3 violation as described in Title 56.

(d) Each alligator farmer shall report annually, no later than December 1, on an official form provided by the Department, all activities that have occurred on the farm for the past year including but not limited to the number of live alligators as of that date, separated by sizes, the number of eggs collected and hatched, the purchase and sale of alligators, hides, and parts for the past

year and the numbers of alligators lost. Failure to complete this form properly and completely will result in nonrenewal of the nongame quadruped breeder's license. Violation of this part is a class 3 violation as described in Title 56.

(e) Each licensed alligator farmer selling alligator parts to a person or a restaurant shall furnish that person with a bill of sale for each transaction. Violation of this part is a class 2 violation as described in Title 56.

(f) Each alligator farmer collecting alligator eggs, hatching alligator eggs, selling alligators for processing, or selling alligator skins shall submit completed forms as provided by the Department within 10 days following completion of the activity. Violation of this part is a class 3 violation as described in Title 56.

5. Fur buyers, fur dealers, alligator farmers and alligator hunters engaged in the business of buying and/or selling whole alligators or alligator hides must keep within the state a complete record on forms provided by or approved by the Department, all purchases and sales of whole alligators or alligator hides as described in Title 56, and;

(a) Every fur buyer, fur dealer, alligator farmer or alligator hunter having undressed alligator hides in his possession shall file with the Department within 60 days of purchase or within 60 days of tagging or prior to shipping out of state or prior to tanning skins in Louisiana, whichever occurs first, a complete report, on forms provided by or approved by the Department, a detailed description of alligator hides to be shipped or tanned. At the time of shipment or prior to tanning, Department personnel will inspect hides and replace any broken or reattached tags. Department personnel will issue the appropriate number of yellow shipping tags, one for each shipment. At that time, Department personnel will affix a seal/or locking device to each container and if container is reopened by anyone other than Department personnel or Federal personnel this action will be considered illegal. In conjunction with the inspection and prior to Department issuance of shipping tag(s) and seal(s) or locking device(s), Department personnel must collect:

(1) All completed buyer/dealer records for skins in each shipment.

(2) Shipping manifest including each skin in shipment.

(3) Stub portion of yellow shipping tag completely filled-out.

(4) Severance tax owed by alligator hunter, alligator farmer or fur dealer.

If any of the above requirements are not satisfied, the shipment will not be authorized.

Violation of this part is a class 3 violation as described in Title 56.

6. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator hides purchased inside and outside the state as described in Title 56. Fur dealers in the business of tanning alligator hides must provide a monthly report, on forms provided by or approved by the Department, of all alligator hides being held in inventory. Failure to maintain complete records and to pay the required severance tax subjects any dealer to the full penalties provided and the immediate revocation of his license by the Department. No license shall be issued to a dealer who has not paid the tax for the preceding year. Violation of this part is a class 3 violation as described in Title 56.

7. Alligator parts dealers acquiring alligator parts, shall complete an official alligator parts purchase form at the time

of each purchase. Alligator parts dealers selling alligator parts, shall complete an official alligator parts sale form at the time of each sale. These forms shall be furnished by or approved by the Department and shall be submitted to the Department annually, no later than June 30, and;

(a) Alligator parts dealers shall furnish a bill of sale to anyone purchasing alligator parts.

(b) The records of transactions involving alligator parts shall be available for inspection by the Department and shall be maintained complete for a period of one year following any transaction.

Violation of this part is a class 2 violation as described in Title 56.

8. Any alligator parts retailer purchasing finished alligator parts shall maintain a bill of sale for each purchase for a period of six months after such purchase and these records shall be available for inspection by the Department. Violation of this part is a class 2 violation as described in Title 56.

L. Alligator Meat.

1. Alligator meat from lawfully taken alligators can only be

sold according to state and federal laws, Louisiana Department of Health and Hospitals regulations and Louisiana Wildlife and Fisheries Commission regulations. Violation of this part is a class 3 violation as described in Title 56.

2. Alligator meat processed in the State of Louisiana and sold for human consumption must be processed in a licensed facility approved by the Louisiana Department of Health and Hospitals and the facility must display a valid permit issued by that agency. Violation of this part is a class 2 violation as described in Title 56.

3. All processed alligator meat for sale must be packaged in suitable containers which identifies the contents as alligator meat, marked with a valid Department license number and comply with all state and federal packaging and labeling requirements. Violation of this part is a class 2 violation as described in Title 56.

4. All alligator meat shipped into the state and being offered for sale must meet all of Louisiana's health, processing, packaging and labeling requirements. Violation of this part is a class 2 violation as described in Title 56.

M. Disposal of Alligators by the Department.

1. The Department may sell alligators, alligator eggs or parts

of alligators taken for any purpose deemed necessary for proper management of the species pursuant to Title 56.

2. The Department may dispose of alligators, alligator eggs, or parts of alligators by donation or lending to a scientific institution or other institutions that the Department deems have need for such alligators, however these institutions cannot sell or barter these animals which must be returned to the Department at the conclusion of the program or need.

3. Confiscated alligator hides and parts may be destroyed by the Department pending the outcome of the criminal trial.

4. Confiscated alligator eggs or live alligators may be sold or may be cared for by the Department and released in suitable alligator habitat when and where they can survive when appropriate. All costs incurred by the Department in the maintenance of these eggs and animals in captivity shall be the responsibility of the offender and restitution shall be made to the Department. The Department may consign confiscated alligators to a licensed farm for raising purposes and may compensate the farmer for his expenses by transferring ownership to him of a percentage of the confiscated alligators; not to exceed 50%.

N. Alligator Egg Collection.

1. Alligator egg collection permits are a three party permit between the Department, the permittee and a landowner/manager who owns or leases alligator nesting habitat determined by Department biologists to be capable of producing alligator eggs. The numbers of eggs to be collected will be based upon biological management criteria and will be determined annually by technical staff of the Department. The Department only estimates the numbers of eggs available and assumes no responsibility or offers no guarantee that those numbers of eggs will be available. Alligator egg collection permits may be obtained upon application to the Department on forms provided by the Department. The annual deadline for submitting applications for Alligator Egg Collection Permits is June 1. This program is experimental and may be changed at any time based on biological data to insure for proper management of the wild alligator population.

2. Alligator egg collection permits may be issued by the Department provided:

(a) Permittee is a properly licensed alligator farmer and meets all applicable requirements in Subsection 0 of these regulations (Alligator Farm Facility Requirements).

(b) All land documentation required on the alligator egg collection permit has been presented to the Department.

(c) Department biologists determine the properties described on the permit application are indeed alligator nesting habitat and can sustain alligator egg collections.

(d) Applicant has obtained all legal and necessary signatures from landowners/land managers.

3. It is unlawful for an alligator farmer or a permitted Designated Collection Agent to collect eggs from properties other than those described in the alligator egg collection permit. Violation of this part is a class 4 violation as described in Title 56.

4. An alligator farmer or designated collection agent in the act of collecting or possessing alligator eggs must possess on his or her person a copy of the fully executed alligator egg collection permit. The designated collection agent must also possess a valid designated collection agent permit.

Violation of this part is a class 3 violation as described in Title 56.

5. Collection of wild alligator eggs can only be made after contacting the appropriate regional supervisor of the Enforcement Division no less than 24 hours prior to each collection trip.

Violation of this part is a class 3 violation as described in Title 56.

6. Alligator eggs can only be collected from the wild from official sunrise to official sunset and only during the established alligator egg collection season and shall not exceed the number on his Alligator Egg Collection Permit. Violation of this part is a class 4 violation as described in Title 56.

7. Alligator eggs collected from the wild must be collected and transported in a manner which insures the greatest survival of viable eggs as determined by Department biologists. Violation of this part is a class 3 violation as described in Title 56.

8. Failure to hatch at least 70% of viable alligator eggs collected from the wild shall be considered a waste of Louisiana's natural resources. All alligator egg collection permits shall be revoked and no new permits issued should an alligator farmer be found to waste the resources of this state for two consecutive years.

9. Alligator egg collection permits shall be revoked and no new permits issued to alligator farmers who fail to average a minimum hatchling survival rate of 85% for two consecutive

years.

10. The alligator egg collection permittee and the landowner are responsible for the return of the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78%. Each alligator shall be returned to the original egg collection area within a maximum time of two (2) years from date of hatching. Each alligator shall be a minimum of 36" and a maximum of 60" (credit will not be given for inches above 60") in size and the returned sex ratio should contain at least 50% females. The alligator egg collection permittee/landowner are responsible for and must compensate in kind for alligator mortality which occurs for Department authorized return to the wild alligators; while being processed, stored, or transported. The Department shall be responsible for supervising the required return of these alligators. A Department transfer authorization permit is not required for return to the wild alligators which are delivered to the farm of origin no more than 48 hours prior to being processed for wild release. Releases back to the wild will only occur between March 15 and September 30 of each calendar year provided that environmental conditions as determined by the Department are favorable for survival of the released alligators. Should an alligator egg collection permittee be unable to release the required number of alligators to the

wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the Department. Department sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this part is a class 4 violation as described in Title 56.

11. The percentage of alligators to be returned to the wild shall be selected from the healthiest of all alligators of that year class. Abnormal or deformed alligators are not acceptable for release into the wild. It is unlawful for alligators that are to be returned to the wild to be transported out of state. Violation of this part is a class 4 violation as described in Title 56.

O. Alligator Farm Facility Requirements.

1. All first time applicants for a nongame quadruped breeder's or exhibitor's license who will house alligators on their premises shall show compliance of the following minimum facilities as applicable to their particular operation during a required facility examination by Department personnel prior to license issuance:

(a) Secured premises with adequate barriers to prevent

escape of enclosed alligators and entry by alligators from outside the farm and to deter theft of alligators.

(b) Source of clean, fresh water which shall be adequate to ensure for proper care of all alligator stock and facilities. This requirement shall be determined by Department personnel.

(c) Provisions for both dry area and pooled water within the secured area adequate for the numbers of alligators to be housed on the premises. This requirement will be determined by Department personnel.

(d) Provision for winter protection, either through adequate denning space or an enclosed, controlled-temperature environment of a design acceptable to the Department.

(e) All controlled-temperature alligator sheds (environmental chambers) shall be of a design acceptable to the Department. Each shed shall maintain a minimum water and air temperature of 80 degrees fahrenheit. Minimum space requirements for alligators housed in the shed shall be:

(i) One square foot of space shall be required for each alligator less than 24" in length.

(ii) Three square feet of space shall be required for each alligator measuring 25" to 48" in length.

(iii) One additional square foot of space shall be required for each additional 6 inches of alligator length for alligators above four feet in length.

(f) All alligator egg incubators shall be of a design acceptable to the Department. Each incubator shall maintain a water and air temperature of 85 to 91 degrees fahrenheit during the egg incubation.

(g) Applicant must be in compliance with all laws and regulations pertaining to zoning, construction, health and environmental standards and must possess any and all applicable permits and licenses.

(h) All alligator facilities should be constructed in a suitable location so as to minimize contact with people.

2. Following initial issuance of applicable license, all applicable facility requirements shall be adhered to and Department personnel have the authority to inspect any and all of the facilities at any time. Failure to adhere to the requirements shall be a violation of these rules and violators will be given 60 days to correct the problem. Failure to

comply shall result in confiscation of all animals and/or closure of all facilities. Violation of this part is a class 3 violation as described in Title 56.

3. All alligator farmers possessing alligator eggs outside an alligator nest should house these eggs in an incubator providing constant temperature and humidity conditions. All incubators used to incubate alligator eggs shall be of a design to allow for maximum temperature control and conform to Department requirements to allow for the maximum hatching success. Violation of this part is a class 3 violation as described in Title 56.

4. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers which maintain a minimum water and air temperature of 80 degrees fahrenheit year round and containing dry and wet areas of sufficient surface area to permit all alligators to partially submerge in water. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the Department to move them to outside growth areas. Violation of this part is a class 3 violation as described in Title 56.

5. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet

in length, and over four feet in length. Land and water areas sufficient for partial submersion or exit from water shall be provided for each group of alligators held. Violation of this part is a class 3 violation as described in Title 56.

6. All facilities, alligator stock, and records are subject to examination by Department personnel prior to permitting and thereafter during farm operation. Violation of this part is a class 3 violation as described in Title 56.

7. It shall be unlawful for alligator eggs or alligators to be moved from a licensed premises without permitting/approval of the Department. Violation of this part is a class 3 violation as described in Title 56.

8. Any alligator egg or alligator raised on an alligator farm shall be cared for under conditions that do not threaten the survival of such egg and alligator as determined by the biological staff of the Fur & Refuge Division. In making such determination, Fur & Refuge Division biologists shall take into consideration sanitary conditions, temperature control, feeding, overcrowding and other conditions which effect the survival of alligator eggs and alligators. If the biological staff of the Fur & Refuge Division determines that the survival of any alligator egg or alligator is threatened due to the conditions on an alligator farm, the Department shall notify the alligator farmer and shall provide the farmer with

60 days to take corrective action. If the farmer fails to take corrective action within 60 days, the Department shall have the authority to confiscate any alligator egg or alligator which remains under conditions that threaten the survival of such alligator egg or alligator and to dispose of such alligator egg or alligator as the Department deems necessary. Violation of this part is a class 4 violation as described in Title 56.

P. Exceptions.

1. The Department or an authorized representative of the Department may take by any means and possess alligators or parts of alligators while in the performance of official duties.

2. These regulations shall not prohibit a person from killing an alligator in immediate defense of his or her life or the lives of others. Alligators killed under this provision must be reported to the Department within 24 hours.

Q. Penalty for Violation.

1. In order to facilitate greater control over alligator trafficking, the Louisiana Department of Wildlife and Fisheries finds that public welfare imperatively requires emergency action when the provisions of these regulations are

violated.

2. In addition to all penalties set forth herein, violators may be subject to criminal prosecution under provisions of the Louisiana Revised Statutes, particularly Titles 14 and 56 and under Federal law.

3. In addition to all other penalties provided by these rules and by statute, violation of any part of these regulations may result in the suspension and/or revocation of any or all alligator licenses/permits held by the violator and, as further penalty, for serious, repeat, or multiple violations, the Department shall have the right to deny a violator any and all licenses/permits relating to alligators for a period not to exceed three (3) years.

RESOLUTION

COMMERCIAL TRIP LIMITS FOR RED SNAPPER

WHEREAS, red snapper are managed under the Federal Fishery Management Plan for the Reef Fishes of the Gulf of Mexico, and

WHEREAS, the Secretary of Commerce has approved emergency regulations establishing trip limits for the commercial harvest of red snapper in the Federal waters of the Gulf of Mexico, and

WHEREAS, the Gulf of Mexico Fishery Management Council is presently undertaking action to extend these regulations for Federal waters for the remainder of the 1993 fishing year, and

WHEREAS, the Gulf of Mexico Fishery Management Council and National Marine Fisheries Service have requested that the various Gulf states adopt regulations compatible with those contained in the emergency regulations and proposed extensions, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission under the authority of R.S. 56:326.3 is empowered to set possession and daily take limits based on biological and technical data, and

WHEREAS, revisions to the existing rules are possible without jeopardizing the biological integrity of the affected stocks, and

WHEREAS, technical analyses by staff of the Gulf of Mexico Fishery Management Council has determined that the proposed measures will extend the length of the red snapper commercial season and provide benefits to the fishery,

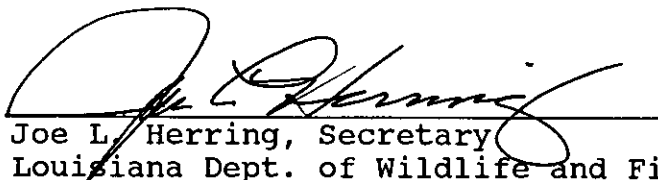
THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does adopt a Declaration of Emergency and express notice of intent to adopt permanent rules concerning commercial trip limits for red snapper in Louisiana waters.

BE IT FURTHER RESOLVED, that the complete contents of the Declaration of Emergency and Notice of Intent establishing commercial trip limits for red snapper are attached to and made part of this resolution.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate these regulations and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the Notice of Intent, and preparation of reports and correspondence to other agencies of government.



Bert Jones, Chairman
Wildlife and Fisheries Commission



Joe L. Herring, Secretary
Louisiana Dept. of Wildlife and Fisheries

DECLARATION OF EMERGENCY

WILDLIFE AND FISHERIES COMMISSION

In accordance with the emergency provisions of R.S.49:953(B), the Administrative Procedure Act, R.S.56:6(25)(a) which delegates the authority to the Commission to set seasons, daily take and possession limits, based upon biological and technical data; the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

COMMERCIAL RED SNAPPER TRIP LIMITS

Those persons possessing a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources, who do not possess a red snapper endorsement on that permit are limited to a daily take and possession limit of 200 (two hundred) pounds per vessel.

Those persons possessing a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources, who do possess a red snapper endorsement on that permit are limited to a daily take and possession limit of 2,000 (two thousand) pounds per vessel.

The Gulf of Mexico Fishery Management Council has requested that this action be taken to provide consistent regulations for the fishery in both State and Federal waters off the coast of Louisiana. The action is intended to benefit the industry by extending the duration of the fishing season, which is anticipated to result in more stable exvessel prices to the fishermen.

NOTICE OF INTENT
DEPARTMENT OF WILDLIFE AND FISHERIES

TITLE 76
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 3. SALTWATER SPORT AND COMMERCIAL FISHERY

SECTION 335. Daily Take, Possession and Size Limits Set by Commission, Reef Fish

The Secretary, Louisiana Department of Wildlife and Fisheries does hereby give notice of intent to promulgate a Rule establishing possession limits for commercial harvest of red snapper, as part of the existing rule for daily take, possession, and size limits for reef fishes set by the Commission. Authority for adoption of this Rule is included in R.S.56:6(25)(a) and 56:326.3. Said Rule is attached to and made a part of this Notice of Intent.

[Note: bold underline is modification inserted into existing rule]

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the harvest of snapper, grouper, sea basses, jewfish, and amberjack within and without Louisiana's territorial waters:

<u>Species</u>	<u>Recreational Bag Limits</u>
Red Snapper	7 fish per person per day
Queen, mutton, schoolmaster, blackfin, cubera, gray, dog, mahogany, silk, yellowtail snappers, and wenchman	10 fish per person per day (in aggregate)
All groupers	5 fish per person per day (in aggregate)
Greater amberjack	3 fish per person per day

All persons who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit.

A person subject to a bag limit may not possess during a single day, regardless of the number of trips or the duration of a trip, any reef fish in excess of the bag limits.

For charter vessels and headboats as defined in Federal Regulations

50 CFR Part 641 as amended by FR Vol. 55, No. 14, there will be an allowance for up to two daily bag limits on multi-day trips provided the vessel has two licensed operators aboard as required by the U.S Coast Guard for trips of over 12 hours, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

Those persons possessing a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources, who do not possess a red snapper endorsement on that permit are limited to a daily take and possession limit of 200 (two hundred) pounds per vessel.

Those persons possessing a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources, who do possess a red snapper endorsement on that permit are limited to a daily take and possession limit of 2,000 (two thousand) pounds per vessel.

<u>Species</u>	<u>Minimum Size Limits</u>
Red Snapper	13 inches total length
Gray, mutton and yellowtail snapper	12 inches total length
Lane and vermillion snapper	8 inches total length
Red, gag, black, yellowfin and nassau grouper	20 inches total length
Jewfish	50 inches total length
Greater amberjack	28 inches fork length (recreational) 36 inches fork length (commercial)
Black seabass	8 inches total length

Federal regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, defines charter vessels and headboats as follows:

Charter vessel means a vessel whose operator is licensed by the U.S. Coast Guard to carry six or fewer paying passengers and whose passengers fish for a fee. A charter vessel with a permit to fish on a commercial quota for reef fish is under charter when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

Headboat means vessel whose operator is licensed by the

U.S. Coast Guard to carry seven or more paying passengers and whose passengers fish for a fee. A headboat with a permit to fish on a commercial quota for reef fish is operating as a headboat when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16:539 (June, 1990), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 1?:??? (_____, 1992).

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 29, 1993

MEMORANDUM

TO: Chairman and Commission Members
FROM: Susan Hawkins *Susan*
SUBJECT: Agenda Item - Red Snapper

Please find enclosed a Resolution and Notice of Intent for the red snapper issue to be discussed at the February 4th Commission Meeting. A Declaration of Emergency will also be presented at this time.

Thank you.

sch

Enclosure

January 29, 1993

Mr. Bert Jones
Wildlife & Fisheries Commission
P. O. B. 98000
Baton Rouge, La. 70898-9000

Re: Caddo Lake Black
Bass Size Limit

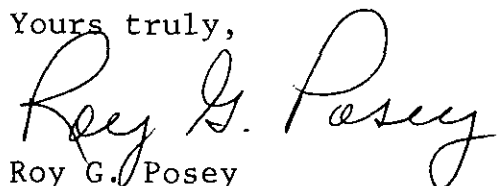
Dear Mr. Jones,

First, let me introduce myself. My name is Roy G. Posey, owner of Drift-In Landing on Caddo Lake on Highway 1 in Mooringsport, La.. My wife, Carole, & I have operated this business for 10 years although it was first established many years ago. The past few years have been a struggle due in part to the size limit change from 12 inches to 14 inches. This change cost us & other camps approximately 80% of our everyday bass business due to the area offering other lakes without this restriction. Camps like ours depend on year round customers fishing for home consumption. Having to return bass back under 14 inches means most fishermen go home empty. Therefore jeopardizing our ability to maintain our operation & stay in business.

I am asking for your help to change the size limit back to 12 inches & a slot limit of 14 inches to 17 inches so our area lake can again be a contributor to our local community.

I understand there will be a meeting on February 4, 1993, to decide on this necessary change. This letter is ask your assistance in making this change & to enter this into the record of that meeting. Thank you.

Yours truly,


Roy G. Posey

RGP:cwp

Attachment

CC: Governor Edwin W. Edwards
P. O. B. 94004
Baton Rouge, La. 70804-9004

Mr. Joe L. Herring
P. O. B. 94004
Baton Rouge, La. 70804-9004

Wildlife & Fisheries Commission
P. O. B. 98000
Baton Rouge, La. 70898-9000

Attn: Mr. Peter Vujnovich
Mr. Perry Gisclair
Mr. Jimmy Jenkins
Mr. Tee John Mialjevich
Mr. John F. Schneider

Mr. Dan Brabham
Louisiana Fishermen's Forum
P. O. B. 961
Gonzales, La. 70707

Mr. Roy Hopkins
P. O. B. 63
Oil City, La. 71061

Fishermen oppose state imposed limits

If you keep up with new organizations, you may have already heard of The Louisiana Fishermen's Forum.

I will admit that until a couple of weeks ago I had not heard of them.

I received a telephone call from Rufus Underwood, vice president of the LFF, who filled me in on what the organization was attempting to do for the fishermen of Louisiana.

Underwood told me they are taking on the Louisiana Wildlife and Fisheries Department and, in particular, the Black Bass Fishery Management Plan.

The plan, in short, is designed to get bigger fish in our lakes by introducing Florida Bass, setting up trophy lakes and quality lakes, reducing creel limits, setting up larger size limits, setting up a slot limit and generally keeping the occasional fisherman confused.

The plan sets Toledo Bend and Caddo Lake, both of which border Texas, in a category all by themselves. This seems to be the biggest sore spot with the leadership of the LFF.

Underwood and LFF President

Dan Brabham of Prairieville, La., gave me copies of their charter, a copy of the plan and a basketful of other information to digest before I wrote this week's column.

I spent the biggest part of the day going through the information in order to condense it down to column size.

LFF feels the Wildlife and Fisheries Department has stacked the deck against the average angler in favor of the tournament fisherman. They blame this on the makeup of the committee that put the plan together.

Underwood pointed to Caddo Lake (Underwood lives in Blanchard) as one of the lakes that is producing big bass for the trophy hunter. However, the guy who takes his kids out for the day and catches five bass and can't keep any of them because they are under 14 inches has a hard time explaining this to the kids.

We can get into the dollars and cents impact of what has taken place with the guy and his kids. 1. He has had a bad day instead of fun with the kids. The kids don't want to go fishing again, or 2. he can go to another lake



BOB THE OUTDOOR GUY Bob Stevens

where they don't have the size limit and a slot limit.

This seems to be what is taking place on Caddo Lake and the marina owners are the losers along with the fishing family.

I took a trip to Caddo Lake and stopped at the first camp I could put a boat in (Drift-In Landing). There I talked to Roy Pacey. He told me that his business has suffered quite a bit since the plan went into effect. He also told me he had kept track of the fish he had caught from his dock beginning Dec. 15 until the day we talked, March 11—88 days.

His total catch was 204 fish. Of that amount only two were keepers—one was 14 1/2 inches and

the other was 15 inches.

What this tells me is I don't want to take my grandchildren to Caddo Lake for a day of fun in the sun because that's what it will be—all sun and no fun.

If you would like more information about the Louisiana Fishermen's Forum, their address is P.O. Box 961, Gonzalas, La., 70707. The membership fee is \$10 per year and includes your spouse.

Fishing on area lakes. The weather turned cold the first part of last week, but this weekend looks good. Try fishing the northside of the coves where the water has had a chance to warm up. The bass are moving to shallow water.

The Back Side

Whorton only holdout on racing days for Downs

By Bob Stevens

Bossier Press Tribune

With just a little over five weeks

According to Sweeney, the Downs took in \$448,000 plus in 24 days last year. This money goes a

The Downs will have two meets this year, a summer meet and a fall meet. The biggest change is the meet

STEVE LOTT S

101
IN HOM
WEDDINGS •
ANIMAL

PHONE
(318) 965-247

Super
& DISC
OPTICAL C
2640 WAGE
(Corner of
(318)
OPEN

Single Vision

\$2995
COMPLETE

Reading or Distance Lenses
with ANY Frame
NEVER A CASE

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to adopt the following rule on black bass (Micropterus spp.) in Caddo Lake located in Caddo Parish, Louisiana.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section 167. Black Bass Regulations, Caddo Lake

Harvest regulations for black bass (Micropterus spp.) on Caddo Lake located in Caddo Parish, Louisiana are as follows:

Size limit:	14 inch-17 inch slot
Daily take:	10 fish of which no more than 4 fish may exceed 17 inches maximum total length.
Possession limit:	On Water - Same as daily take. Off Water - Twice the daily take.

A 14-17 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (C), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 19:

Interested persons may submit written comments of the proposed rule to Bennie Fontenot, Administrator, Inland Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, April 7, 1993.

Bert H. Jones
Chairman

January 28, 1993

Secretary Joe Herring
LA Department of Wildlife and Fisheries
P. O. Box 98000
Baton Rouge, La. 70898-9000

Dear Secretary Herring:

Let us take this opportunity to again express our appreciation for meeting with us on November 6, 1992 at the Petroleum Club in Shreveport. You were very generous in bringing so many of your staff members to the meeting. We believe all present benefited from the information they shared with us and the ensuing discussion. Your interest in fishing as recreation certainly bodes well for the future of Caddo Lake and other Louisiana waters.

Secretary Herring, we appreciate your support in returning Caddo Lake to the citizens of Louisiana. As concerned citizens and Caddo Lake bass fishermen, we respectfully request our position be read into the record of the February 4, 1993 meeting of the Louisiana Wildlife and Fisheries Commission, to-wit:

We fully support **THE LOUISIANA WILDLIFE and FISHERIES PROPOSAL** to increase the creel limit for largemouth and spotted bass on Caddo Lake to ten (10) fish outside of a protected slot. We are in favor of the implementation of a 14 thru 17 inch protected slot for bass on Caddo Lake on a temporary basis. We urge Louisiana Wildlife and Fisheries biologists to evaluate the results of the protected slot after two years. Let the record show it is our position that Louisiana should regulate the waters within its boundaries for the recreation and benefit of the citizens of Louisiana without regard to the regulations of any other legal entity.

Respectfully,

Lee Bryant
James *Mark* *James*
Michael Bacon
Roy Hopkins
Vernon Faye
CE E O JA

Rufus Underwood
BD Lindsey
Greg Procell

PRADCO/SMITHWICK
5935 NORTH MARKET STREET
SHREVEPORT, LA. 71107

TELEPHONE # (318) 929-2318
FAX # (318) 929-2805
NO OF PAGES: 2

TRANSMIT TO: SECRETARY JOE HERRING

FROM:

RUFUS UNDERWOOD

MESSAGE:

SEC HERRING,

FORWARDED FOR YOUR
INFO and USE IS THE COPY
OF A LETTER BEING SENT TO YOU
TODAY BY REGISTERED MAIL.
WANTED TO INSURE YOUR RECEIPT
OF SAME PRIOR TO COMMISSION
MEETING ON THURSDAY.

BEST REGARDS,

- Copy to
1. Bernice Fontant
2. Susan Hankins

[Signature]

REC'D

FEB 03 93

OFFICE OF WILDLIFE
ASSISTANT SECRETARY

RECEIVED

FEB 01 93

LA WILDLIFE & FISHERIES
OFFICE OF THE SECRETARY

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to amend the joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section 110. Toledo Bend Reciprocal Agreement

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at eight fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir. The possession limit shall be the same as the daily take on water and twice the daily take off water.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325(c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 14:548 (August 1988), Amended LR 17:278 (March 1991), Amended LR 17:1123 (November 1991), Amended LR 19: .

Interested persons may submit written comments of the proposed rule to Bennie Fontenot, Administrator, Inland Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, April 7, 1993.

Bert H. Jones

Chairman

RESOLUTION

RULES FOR THE SPECIAL BAIT DEALERS PERMITS

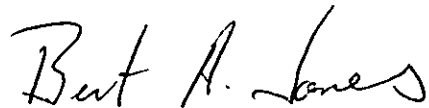
WHEREAS, the Special Bait Dealers Program is undergoing significant changes in this state, and

WHEREAS, the Louisiana State Legislature has authorized the Wildlife and Fisheries Commission to set the rules for the Special Bait Dealers Program.

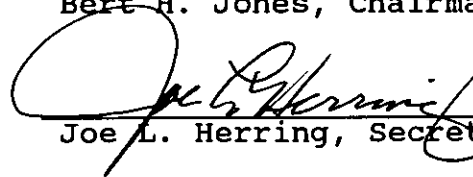
THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the final rule for the Special Bait Dealers Program.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate these regulations and the final rule.

BE IT FURTHER RESOLVED, that the complete contents of the final rule establishing regulations for the Special Bait Dealers Program is attached to and made part of this resolution.



Bert H. Jones, Chairman



Joe L. Herring, Secretary

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), and R. S. 56:497(C), the Louisiana Wildlife and Fisheries Commission hereby adopts the rules and regulations for a special bait dealer's permit which will allow the taking of live bait shrimp by qualified permit holders during the closed season between the spring and fall shrimp seasons.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

Section 329. Special Bait Dealer's Permit

A. Policy

The special bait dealer's permit is intended solely for the benefit of the recreational fishing public which desires to use live shrimp as bait during the closed season between the spring and fall shrimp seasons. Its purpose is to allow the uninterrupted operation of those commercial establishments which sell live bait shrimp to the fishing public during the spring and fall shrimp season. The permit is not intended for the direct use of recreational fishermen, charter boats, commercial fishermen who sell dead shrimp, or for any other entity which may wish to catch shrimp for their own use during the closed season.

B. Application

1. Applications for the special bait dealer's permit will be accepted from January 1 through April 30 of each year. All applications should be mailed to the department via certified mail.
2. Applications will be accepted only from the owner of an existing business which sells or plans to sell live bait to recreational fishermen.
3. Applications must be made on forms provided by the department; all information requested must be provided before the application will be processed.
4. Applicants must show proof of having acquired all necessary licenses and permits before the permit will be issued. This includes, if relevant, boat registration, vessel license, gear license, commercial fishing licenses, and name of fisherman; wholesale/retail dealers license, state sales tax number, and a copy of the applicant's and the fisherman's valid drivers license. A background check for wildlife violations of the applicant and the fisherman will be made. Conviction of any Class II or greater wildlife violation may be grounds for denial of application.
5. Applicant must post a \$1,000 cash bond or surety bond before the permit is issued. If using a surety bond, these bonds must be issued through a bonding company or an insurance company. This bond will be forfeited if the permittee, his employee, or his contractor violates any

provision of the rules and regulations concerning the special bait dealer's permit or if the permittee, his employee, or his contractor violates any commercial fishing law or regulation while operating under the permit. Property bonds are not acceptable.

6. Before the permit is issued an agent of the department must inspect the facilities of the applicant and verify that the applicant is operating a commercial establishment which sells live shrimp to the fishing public for use as bait, and that the applicant does have facilities to maintain live shrimp. Notice to the public must be posted that live bait shrimp are available for sale. The applicant must have onshore facilities, including tanks with a minimum capacity of 500 gallons, available to hold live shrimp. These tanks must have provisions for aeration and/or circulation of the water in which live shrimp are held prior to sale. In determining total tank capacity of onshore facilities, the agent shall not count any tank with a capacity of less than 50 gallons.
7. Only the applicant, his designated employee, or his contractor may operate under the permit. If the applicant has a contract with another party who will supply live bait shrimp to him, he must provide the department written evidence of the agreement. At the time of application, the applicant will specify who will be working under the permit. Should these persons

change, the applicant will notify the department in the manner specified by the permit before the new vessel or persons operate under the permit. The permit is not transferrable to any other person or vessel without previous notification to the department in the manner specified by the permit. The entire original permit must be carried on the vessel while in operation.

8. Vessel operations under this permit shall be limited to areas specified by the permittee as stipulated in his application.

C. Operations

1. Only the vessel listed in the permit can be used with the permit. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp must be carried on or built into this vessel; it must be used for both taking and transporting the live shrimp. The vessel must have a minimum of one compartment or tank with a capacity of 50 gallons. No other vessel may be used under the permit. Signs which identify the vessel as working under the special bait dealer's permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.
2. Permitted gear is limited to one (1) trawl not to exceed 25 feet along the cork line 33 feet along the lead line. This is the only gear which can be used or carried aboard

the permitted vessel while the vessel is operating under the permit; no other commercial fishing gear may be on the vessel when it is being used under permit.

3. No dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp and all other organisms caught while taking live bait shrimp must be immediately returned to the water. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 16 ounces in weight.
4. Bait shrimp may be taken only from sunrise to sunset; no night fishing is allowed under this permit.
5. The entire original permit must be in the possession of the person operating the vessel while it is engaged in taking shrimp under the terms of the permit.
6. Each time the permit is used the permittee must notify the department in the manner specified by the permit. Before the vessel departs the dock under the permit, the department must be advised of the time of departure and the general location in which trawling will take place; immediately after the permitted vessel returns to the dock the department must be notified of the time of return.
7. The permittee shall maintain an up-to-date record of the activities conducted under permit on forms provided by the Department for that purpose. These forms shall be available for inspection by agents of the department upon request by said agents. In addition, any agent of the

department shall be allowed to make an on site inspection of any facilities operating under the permit, at any time. Permittee will submit to the department, not later than September 1, the record of shrimp harvested under the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:497(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:210, (April 1977), amended LR 15:867 (October 1989), LR 19:

Bert H. Jones
Chairman

DECLARATION OF EMERGENCY

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES CALCASIEU LAKE OYSTER SEASON QUOTA

In accordance with the emergency provisions of the Administrative Procedure Act, R.S.49:953(B) and 967, and under the authority of R.S.56:25(A) and R.S.56:435.1 notice is hereby given that the secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission, hereby declares: That there will be an increase in the oyster fishing quota regulation from 10 daily sacks to 15 sacks allowed daily for the remainder of the 92-93 oyster season.

for the Calcasieu Lake Public Oyster Grounds

Bert Jones,
Chairman

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B) and 967, and under the authority of R.S. 56:25(A) and R.S. 56:435.1, notice is hereby given that the Wildlife and Fisheries Commission finds that imminent peril to the public welfare exists and hereby adopts the following emergency rule:

There will be an increase in the oyster fishing quota regulation from 10 daily sacks to 15 sacks allowed daily for Calcasieu Lake for the remainder of the 1992-93 oyster season.

Bert H. Jones

Chairman

CALCASIEU LAKE OYSTER SEASON RESOLUTION

WHEREAS; the Department assessed the resource and there was an above average supply, and

WHEREAS; there has been a reduced amount of fishing pressure due to reduce oyster prices and public health closures, and

WHEREAS; because of the reassessment of the water quality data, the health department has issue new more restrictive closures, and

WHEREAS; Revised Statue 56:25(A) authorizes the Commission to regulated quota limits, and Revised Statue 56:435.1 allows the Commission to regulate both the season and daily quota limits because of health closures,

THEREFORE BE IT RESOLVED; that the Lcuisiana Wildlife and Fisheries Commission increases the daily quota limit from 10 sacks to 15 sacks,

RESOLUTION

CALCASIEU LAKE OYSTER SEASON

WHEREAS, the Department assessed the resource and there was an above average supply; and

WHEREAS, there has been a reduced amount of fishing pressure due to reduced oyster prices and public health closures; and

WHEREAS, because of the reassessment of the water quality data, the health department has issued new more restrictive closures; and

WHEREAS, Revised Statute 56:25(A) authorizes the Commission to regulate quota limits, and Revised Statute 56:435.1 allows the Commission to regulate both the season and daily quota limits because of health closures.

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission increases the daily quota limit from 10 sacks to 15 sacks per day for the Calcasieu Public Oyster Grounds for the remainder of the 1992-93 oyster season.



Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission



Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

NOTES ON THE OYSTER SEASON CALCASIEU LAKE

OYSTER STATUS CALCASIEU LAKE

<u>SEASONS</u>	<u>STOCK ASSESSMENTS</u>		<u>ESTIMATED</u>
	<u>MARKETABLE</u>	<u>TOTAL</u>	<u>SACKS HARVESTED</u>
1963	-	-	210,160 sacks
1967-1974	-	-	No Commercial Landings
1975-1976	142,726	441,183	40,000
1976-1977	694,420	869,475	100,000
1977-1978	483,673	621,885	141,976
1978-1979			75,000
1979-1980	676,333	979,613	125,000
1980-1981	355,664	705,117	150,000
1981-1982	608,110	988,575	
1982-1983		50,000-75,000	
1983-1984			150,000
1984-1985	125,407	644,788	
1985-1986	315,160	537,760	27,400
1986-1987	589,940	1,217,959	200,000
1987-1988	796,950	2,703,647	125,000
1988-1989	463,331	1,036,580	50,000
1989-1990	172,046	640,892	40,000
1990-1991	408,961	1,268,962	50,000
1991-1992	1,048,882	1,731,367	31,383
1992-1993	749,915	1,612,736	

CALCASIEU LAKE OYSTER RESOURCE/ 1992-1993 OYSTER SEASON SUMMARY

OYSTER STOCK ASSESSMENT - 1992 (BASED ON AUGUST 1992 SAMPLES)

Commercial Oyster Stock 3 Inches and greater

WESTSIDE	EASTSIDE
299,111 Sacks	450,804 Sacks
TOTAL 749,915 Sacks	

HEALTH CLOSURES - Through December 31, 1992

	WESTSIDE			EASTSIDE		
	OPEN	CLOSED	% CLOSED	OPEN	CLOSED	%CLOSED
OCT. 17		0	0	17	0	0
NOV. 23		7	23 %	30	0	0
DEC. 10		21	35 %	31	0	0

NOTE; Present Closures of both areas

VERIFIED PRODUCTION FIGURES

OCT.	424 Sacks
NOV.	8,081 Sacks

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
400 Royal Street
New Orleans, LA 70130
(504) 568-5667

Edwin W. Edwards
Governor

Seafood Section

To: <i>John Roussel</i>	Date: <i>1/26/93</i> Time: .. :	# Pages to Follow <i>3</i>
From: <i>RON DUGAS</i>	Operator: <i>Go.</i> Phone #: () - -	
Call (504) 568-5685 If there are any problems.		
MESSAGE		

**SECOND ANNUAL REPORT
ON THE STATUS OF RED DRUM**

30% Reprinted

prepared for

**Louisiana Wildlife and Fisheries Commission
Baton Rouge, Louisiana
Bert Jones, Chairman**

by

**Louisiana Department of Wildlife and Fisheries
Marine Fisheries Division
2000 Quail Drive
Baton Rouge, Louisiana**

February 4, 1993

INTRODUCTION

The Louisiana Wildlife and Fisheries Commission in accordance with RS:56:6(27) and HCR 277 of the 1991 Regular Session of the Louisiana Legislature is required to prepare an annual report to the Legislature on red drum. The statute and HCR each require the Commission address three separate issues as follows:

- 1) Biological condition, profile and stock assessment
- 2) Total allowable catch with probable allocation scenarios
- 3) Detailed explanation of whether or not gamefish status should be continued.

This document is prepared by the Louisiana Department of Wildlife and Fisheries to provide the Commission with the information needed to fulfill their obligation as stated above. This report addresses each issue individually and uses the best data available to the Department at this time. "Biological Condition" has been interpreted as "Status of the Stock" and is based on information in the biological profiles and stock assessment, so it is placed at the end of that section.

PROFILE, STOCK ASSESSMENT AND BIOLOGICAL CONDITION

A detailed review of the profile and stock assessment, "A Profile and Stock Assessment for Red Drum Sciaenops ocellatus, in Louisiana" was prepared by the Department in May, 1991. This report updates that document and last year's

report to the Legislature with additional data.

Biological Profile

The basic biological profile of the species was described in the draft "Biological and Fishery Profile of the Red Drum in Louisiana" by Hoese et al., which was presented to the Louisiana Legislature in May, 1991. Two studies, described below, have provided additional data since that time.

Wilson et al. (1992 and personal communication) provided additional data on adult red drum from purse seine samples offshore. Aged samples of red drum captured by purse seine first aroused concern in the mid-80's about the status of the offshore stock by noting the relatively low number of young and middle-aged fish in these samples. The data from recent years show significantly increased numbers of younger fishes (< age 9) in the offshore schools sampled by purse seines. Wilson et al. (1992) noted that this increased occurrence of younger fish seems independent from the occasional schools of very young fish (average school age < 9) seen in some years. The 1985 and 1987 year-class fish seem to be especially prominent in recent data, suggesting strong recruitment to the offshore population of fish spawned in 1985 and 1987 (Figures 1 and 2). The exact magnitude of these year-classes will probably not be known for some time, since they may still not be fully available to the purse seine gear. Age at full recruitment to the gear is uncertain, but may be 6 - 10 years.

Why did this happen?

Data on recruitment of juveniles into the Louisiana estuaries was developed by the Department's Finfish Monitoring Program (Figure 3). Initial estimates of recruitment for young-of-the-year juveniles, only a few inches long, are provided each fall by seine samples. Trammel nets sample juveniles just over one year old, very near the time they enter the recreational fishery. These independent estimates are generally well correlated.

Recent estimates of recruitment have shown strong differences between year classes. The initial estimates for the 1989 year class in seine samples during the Fall of 1989 indicated low recruitment.

Numbers of age 1 fish in 1991 (1989 year-class) were also below average in trammel net samples. These low catch/effort indices were also reflected in reduced recreational catch for this cohort.

This year-class was followed by one of the strongest yet seen in the monitoring program, which began in 1986. By the fall of 1992, the 1990 year-class fish averaged 20-24 inches and 3-5 pounds. Recreational fishing success provided by this cohort was significantly better than average in the 1991-1992 fishing year (September 1991-August 1992), according to information provided by the National Marine Fisheries Service ongoing Marine Recreational Fishery Statistics Survey (MRFSS). This increased success was predicted in the report provided last year to the Legislature. In 1993, this cohort should provide increased availability of larger (5 - 10 lb.) fish. However, this size fish typically represents a relatively small portion of the overall recreational harvest.

Initial (seine) estimates of the 1991 year-class indicated a year-class strength near average. Recent (October-December 1992) trammel estimates indicate a higher year-class strength than the seine estimates. This may have been due to increased survival over the mild winter of 1991-1992, or due to normal variation between the sampling regimes.

Seine samples from the fall of 1992 provide the first estimate of the 1992 year-class strength. The data from these samples suggest that the 1992 year-class may be below average. Based on this assessment of the year-class strength, numbers of available fish 16-19 inches TL will be reduced in the 1993-1994 fishing year.

Stock Assessment

Prior to the Department's development of an assessment of Louisiana's red drum stock, the most recent assessment for red drum was a gulf-wide assessment provided by Goodyear (1989). While the data summaries for his assessment have been updated (Goodyear 1990, 1991), the underlying assessment has not been reaffirmed since 1989. An update of his gulf-wide assessment is expected during 1993. Goodyear's assessment is based on the assumption that the offshore purse seine data accurately represents the offshore age structure. His interpretation of the results is that a significant decline in recruitment to the offshore population occurred in the mid 1970's. He was unable to fully explain the cause of this decline but did in part attribute it to increased harvest levels of juvenile red drum during the mid to

late 70's in estuarine or inshore areas. His assessment is similar in concept to the first scenario of the Department's analysis.

1992 Assessment Methodology

In the report presented to the Commission in 1992, the Department developed two potential scenarios describing the status of the red drum stock in Louisiana. Scenario 1 used the age structure of the offshore population, as suggested by the purse seine samples, to estimate annual recruitment of red drum from 1972 to present. This scenario was further separated into two options. The first option used the highest estimates of recruitment suggested by the offshore age structure to predict the population status in terms of recruitment, female spawning biomass and SSBR, while the second option used the lowest estimates of recruitment. Scenario 2 used constant recruitment at the average levels estimated from 1984-1986. The Department's sampling program was available to indirectly estimate recruitment during these years.

In summary, the 1992 assessment was simply an update of the May, 1991 assessment, adding two years (September 1990 - August 1992) of additional data and supporting evidence acquired since that assessment.

1993 Assessment Methodology

The methodology used in this year's assessment is virtually identical to last year; however, the assumption of full recruitment to the purse seine gear prior

to age 5 and constant recruitment to the population were not required because of the availability of recently collected data. Scenario 1 continues to rely on offshore purse seine samples to estimate the relative abundance of adult fish in the population. The 1991-1992 purse seine samples collected by LSU allows us to estimate the number at age of adult fish based on the 1986 cohort at age 5. This is a distinct advantage over the previous assessment which relies on ages 2 to 4 year old fish being fully available to the purse seine gear. It is more reasonable to assume that age 5 fish, which are mature, are more available to the gear. Scenario 2 no longer relies on constant recruitment.

The current assessment uses catch per effort by trammel nets from the Department's finfish monitoring program to calculate fishing mortality of age 1 fish for the 1986 cohort, and to estimate recruitment in Scenario 2 for 1987-1991. Recruitment estimates for both scenarios are developed by use of an age-structured analysis (VPA) for 1972-1985. The VPA for Scenario 1 is based on the occurrence of red drum from the 1991 purse seine data in relation to the occurrence of the 1986 cohort. In contrast, recruitment estimates in Scenario 2 are developed by using the fishing mortality rate for age 5 fish in the 1986 cohort as a terminal fishing mortality rate for 1972-1985. Recruitment estimates for each scenario are presented in Figure 4. In both scenarios a Ricker spawner/recruit curve is developed to project recruitment into the future to further evaluate the impact of fishing on the population (Figures 5 and 6).

Biological Condition (Status of the Stock)

The results of Scenarios 1 and 2 are depicted in Figures 7 and 8. The figures show the impact on spawning stock biomass per recruit (SSBR) under two different conditions: A) fishing continued at current levels, B) a complete closure of all fishing beginning September 1, 1992.

Simulations of future conditions under both Scenario 1 and 2 indicate that under current rates of fishing mortality, spawning biomass will increase over time. There is still uncertainty, however, as to whether Scenario 1 or Scenario 2 depicts the actual current status of red drum in Louisiana or whether neither scenario is completely accurate. We choose to view both Scenario 1 and Scenario 2 as possible based on available data at this time, and can offer no further resolution until additional data support either scenario. In either case, SSBR of females in 1992 is approximately 40% of the average biomass under unfished conditions. The major difference between the scenarios is that spawning biomass under Scenario 1 is estimated to be about 69% of that estimated under Scenario 2. For example, under Scenario 1, 1992 spawning biomass of females is estimated as 24 million pounds. Under Scenario 2, 1992 female spawning biomass is estimated as 35 million pounds.

The Department, after a thorough review of all available data on red drum, feels that the results of this assessment and simulations of future conditions best describe the status of the red drum stock in Louisiana. However, an assessment is only as good as it reflects actual conditions. The status of the stock is

composed of two parts, one being the impact of current regulations on the future condition of the stock, and the other being the current status of the stock as resulting from past mortality rates. We feel confident that this assessment accurately represents the impact of current regulations and these regulations adequately provide sufficient survival to maintain the spawning biomass well into the future. We have less confidence in our characterization of the current status of the stock. The cause for uncertainty is the current status of the stock in relation to estimates of mortality prior to 1980. As in any assessment, there are a number of assumptions that must be made to develop mortality estimates. It is the accuracy of those assumptions that are critical to adequately characterizing the current status of the stock. We feel that further verification of the scenarios presented are required before any adjustments in total harvest can be recommended.

We are confident in the simulations of future conditions if the assumption of no change in overall fishing pressure is not violated. Increases in fishing pressure (fishing mortality) could come from many sources even though current regulations remain unchanged. For example, anglers could increase the number of trips targeting or harvesting red drum thus increasing the annual fishing mortality. More efficient methods of angling for red drum could be developed or popularized. New users of the resource (additional recreational anglers or increased by-catch mortality by harvesters) could enter the fishery. Due to such factors, it will always be impossible to predict completely the effects of current regulations on the future condition of the red drum resource.

Current regulations governing the recreational fishery (size limits and daily bag limits) control fishing mortality only indirectly, but do not control overall fishing pressure.

If fishing mortality remains at current levels additional studies in future years should allow a more precise estimation of the current status of the stock and consequently the allowable harvest. It is anticipated that after 1995 the uncertainty of which scenario is most accurate should be resolvable because there will be sufficient differences in the projected size of the offshore schools of red drum provided by each scenario. However, additional sampling efforts to measure the magnitude of the offshore population in 1995, such as the 1986 tagging study by Nichols (1988), will be necessary to detect these differences. We strongly recommend that the Commission and Legislature petition the National Marine Fisheries Service to conduct a study whose major objective is measuring the magnitude and age structure of the offshore population.

TOTAL ALLOWABLE CATCH WITH PROBABLE ALLOCATION SCENARIOS

The intent of this section is to provide guidance as to the allowable catch and predicted results of changes in allocation between the commercial and recreational sectors of the red drum fishery. At this time we recommend no increase in current fishing mortality rates on red drum. Given this recommendation, in order to allocate harvest to the commercial sector at this time, it would be

necessary to remove this harvest from the recreational sector.

There are an infinite number of probable allocation scenarios, depending on the method used to regulate either sector and the availability of suitable data. Given the available data we have reviewed two methods: A) an increase in the recreational minimum size limit to 18" total length; and B) the predicted impact of a commercial allocation on the recreational bag limit.

There is no reliable estimate of total allowable catch due to the uncertainty in selecting the most accurate stock condition scenario; therefore, we have supplied predicted allocation scenarios based on both of the stock scenarios defined in the stock assessment section (Scenario 1 and Scenario 2). It should be realized that allocation resulting from Scenario 1 would be the more stringent and would be the most biologically conservative.

The first approach increases the recreational minimum size limit from 16 to 18 inches total length. The predicted reduction in the recreational harvest is approximately 126,000 fish for Scenario 1 and approximately 230,000 fish for Scenario 2. If a commercial quota is implemented, it could then be all or some portion of the reduction in the recreational harvest.

The second approach to allocation considers the effect of setting a commercial allocation based on the current recreational daily bag limit. The MRFSS creel survey indicates there is harvest in excess of the current bag limit

high is represented by that portion of Figure 9 between a bag limit of 5 and 6. If there was complete compliance with the current bag limit, an allocation of approximately 60,000 fish to the commercial fishery would be possible under Scenario 1 and approximately 125,000 fish under Scenario 2, without any change in the current daily bag limit. Figure 9 also allows comparison of many variations of a commercial allocation. For example, if a commercial allocation of 100,000 fish is chosen, the appropriate reduction in the recreational bag limit based on Scenario 1 would be to 4 per person per day. For Scenario 2, 5 per person per day would be acceptable.

The allocation scenarios presented here are intended only to provide guidance in estimating the impact of the allocation of a commercial harvest and again the results of Scenario 1 would be the most conservative of the two scenarios examined.

GAMEFISH STATUS

The designation of "gamefish" as it relates to the current status of red drum is of little biological utility, but rather a social or political approach to the allocation aspect of management. Biologically, there is no difference between a fish harvested by rod and reel or that harvested in a net. The biological integrity of a fish resource is influenced by the number of fish harvested and the sizes (or ages) at which they are harvested. Size limits, bag limits and quotas are examples of biological tools typically used to control harvest and protect the biological integrity of a fish resource.

Gamefish status in and of itself does little to control total harvest or protect the biological integrity of the red drum stock, since it does not control the amount of effort expended or restrict the amount of time a fish is in the fishery.

We are not in a position to address non-biological aspects of gamefish; rather, simply to state that biologically, gamefish status is of little consequence as it relates to the present or future condition of Louisiana's red drum stock.

REFERENCES

- Goodyear, C. P. 1989. Status of the red drum stocks of the Gulf of Mexico, Report for 1990. NMFS/SEFC Contrib. CRD 88/89-14. 62pp.
- Goodyear, C. P. 1990. Status of the red drum stocks of the Gulf of Mexico. Report for 1990. NMFS/SEFC Contrib. MIA-89/90-26. 23pp.
- Goodyear, C. P. 1991. Status of the red drum stocks of the Gulf of Mexico. Report for 1991. NMFS/SEFC Contrib. MIA-90/91-87. 23p.
- Hqese, H. D., D. W. Beckman, R. H. Blanchet, D. Drullinger, and D. L. Nieland. 1991. A biological and fisheries profile of Louisiana red drum Sciaenops ocellatus. LDWF Fishery Management Plan Series, Number 4 Part 1 (Final Draft).
- LDWF. 1991. A stock assessment for Louisiana red drum, Sciaenops ocellatus. LDWF Fishery Management Plan Series, Number 4 Part 2 (Final Draft)
- Nichols, S. 1988. An estimate of the size of the red drum spawning stock using mark/recapture. Tech. Rep. NMFS/SEFC, Pascagoula Lab, March 1988. 11 pp., 8 tab. 5 fig.
- Wilson, C. A., D. W. Beckman, D. L. Nieland, and A. L. Stanley. 1992. The variation of year-class strength and annual reproductive output of red drum, Sciaenops ocellatus, and black drum, Pogonias cromis, from the northern Gulf of Mexico and Age structure and reproductive potential of the northern Gulf of Mexico Offshore population of red drum not vulnerable to purse seine capture: the missing fish? LSU-CFI-92-2 CFI/LSU Final Report, 1990-1991 MARFIN Co-op Agreements NA90AA-H-MF724 and NA90AA-H-MF763. 40pp., 16 figs.

PURSE SEINE AGE FREQUENCY OF RED DRUM 1990 - 1991

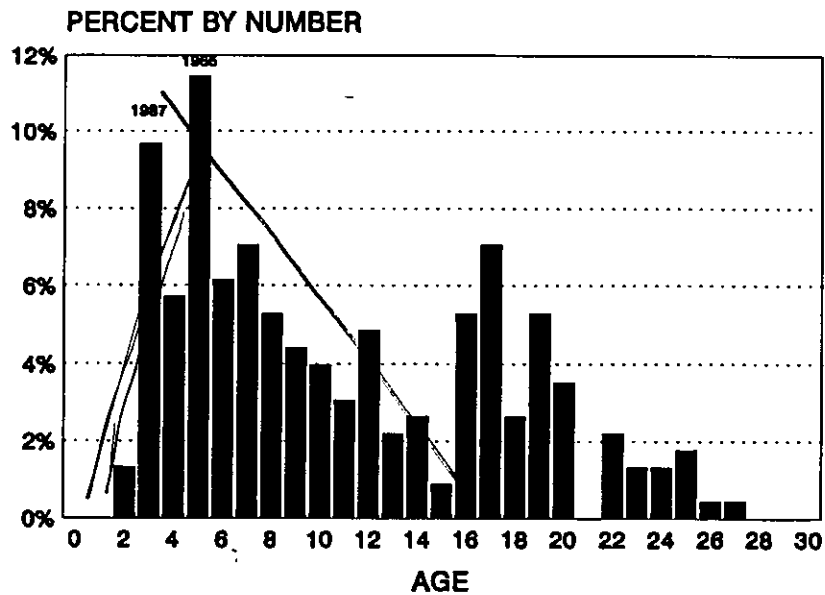


Figure 1. Purse seine age frequency, 1990-91. Data from Wilson et al. (1992 and pers. comm.).

PURSE SEINE AGE FREQUENCY OF RED DRUM 1991 - 1992

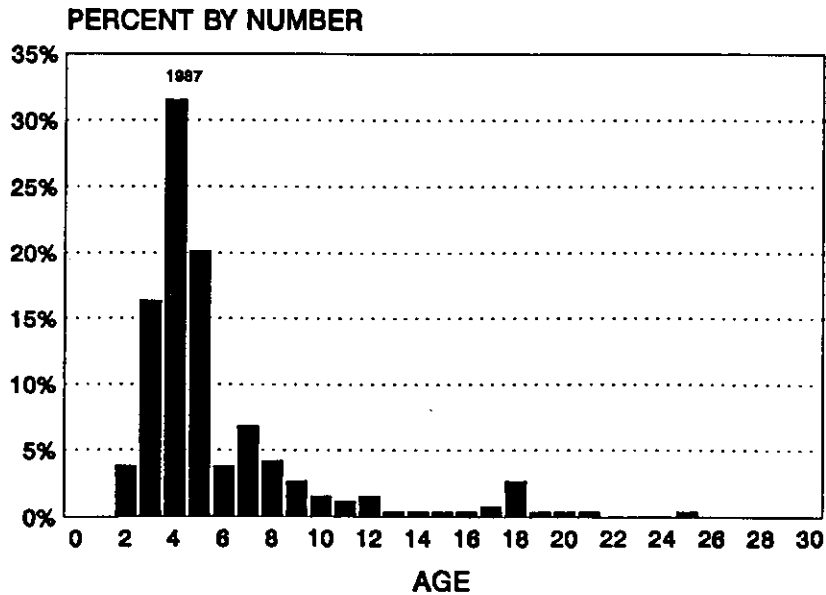


Figure 2. Purse seine age frequency, 1991-92. Data from Wilson et al., pers. comm.

Catch/Effort of Red Drum in Seines and Trammel Nets

by cohort

SEA = Oct - Dec

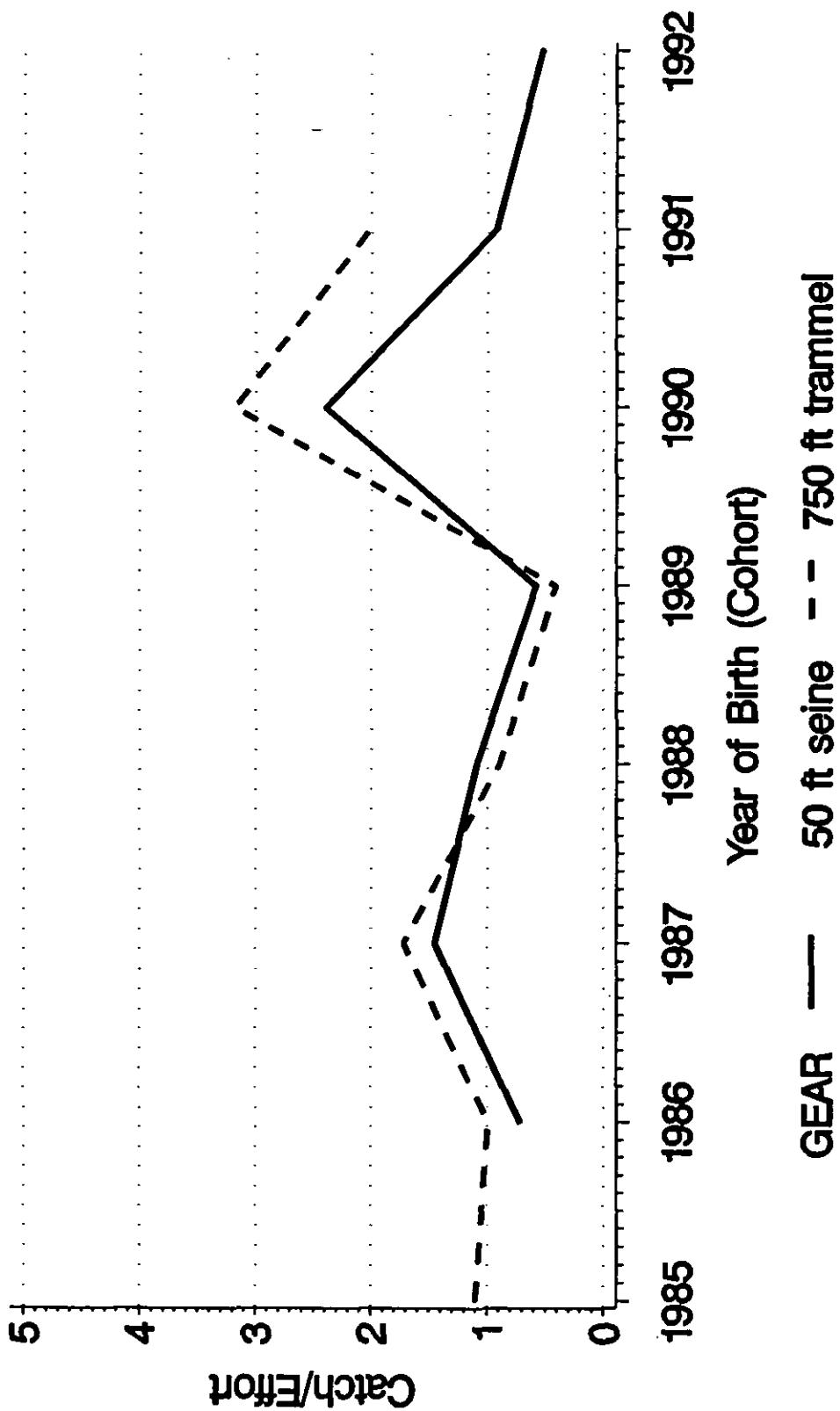


Figure 3. Mean catch per effort of red drum in LDWF seine and trammel net samples.

RED DRUM SIMULATED RECRUITMENT

SCENARIO 1 VS SCENARIO 2

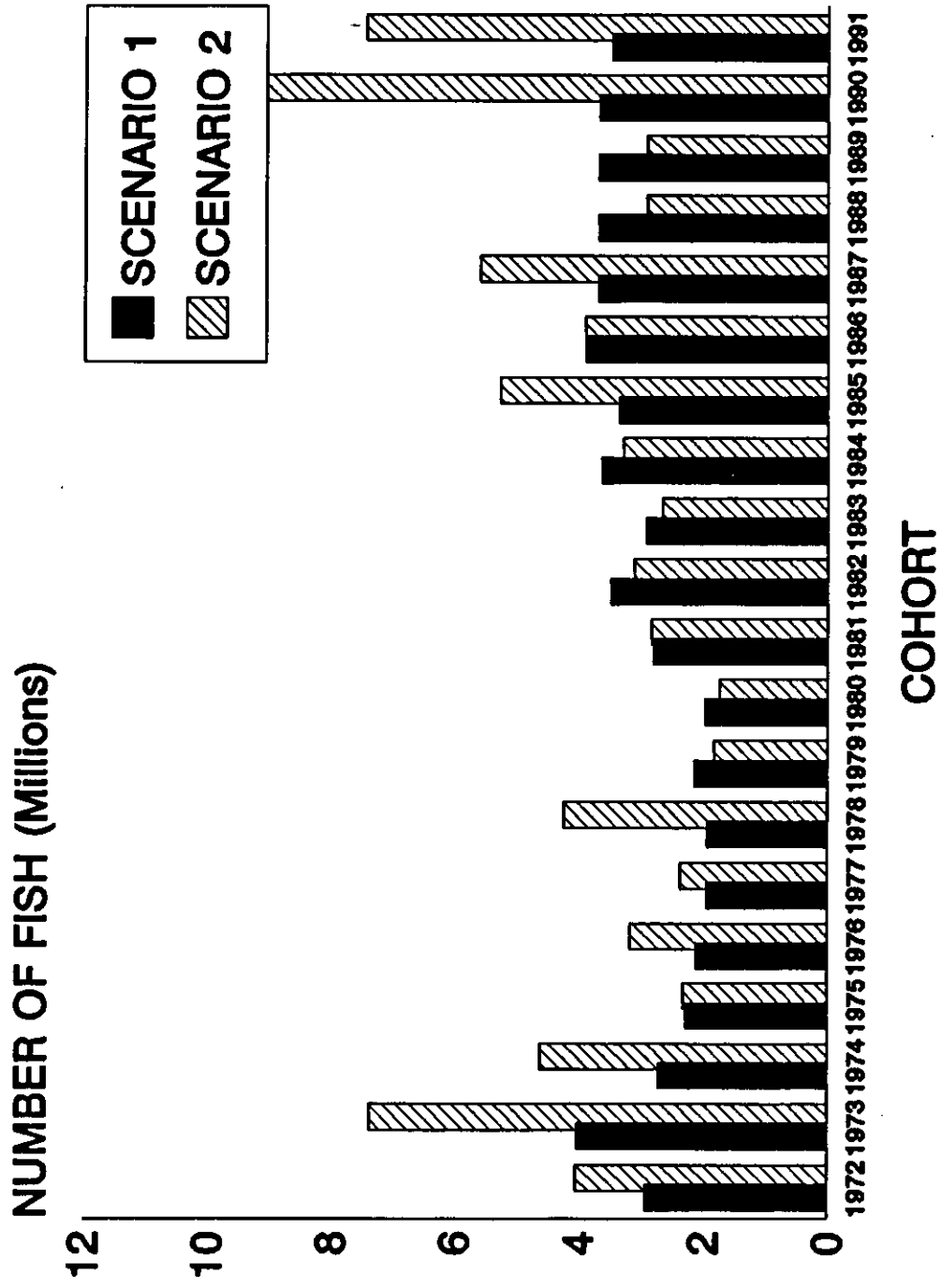


Figure 4. Recruitment estimates from Scenario 1 and Scenario 2.

RICKER RECRUIT CURVE FOR RED DRUM SCENARIO 1

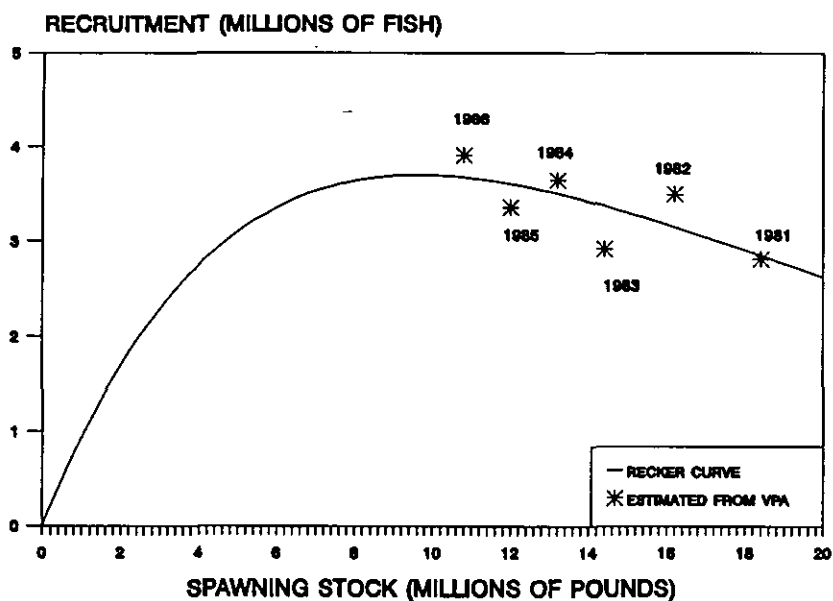


Figure 5. Ricker spawner/recruit relationship for Scenario 1.

RICKER RECRUIT CURVE FOR RED DRUM SCENARIO 2

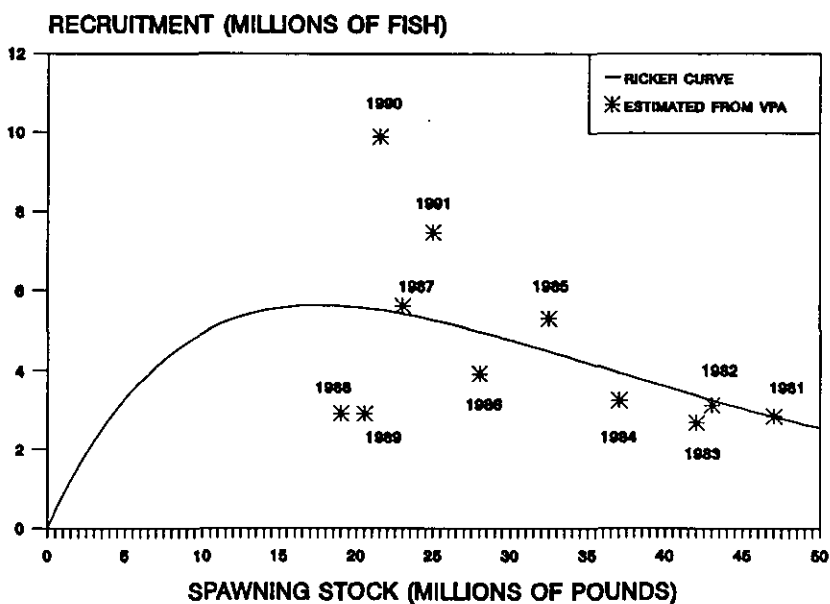


Figure 6. Ricker spawner/recruit relationship for Scenario 2.

RED DRUM SPAWNING STOCK BIOMASS / RECRUIT

SCENARIO 1

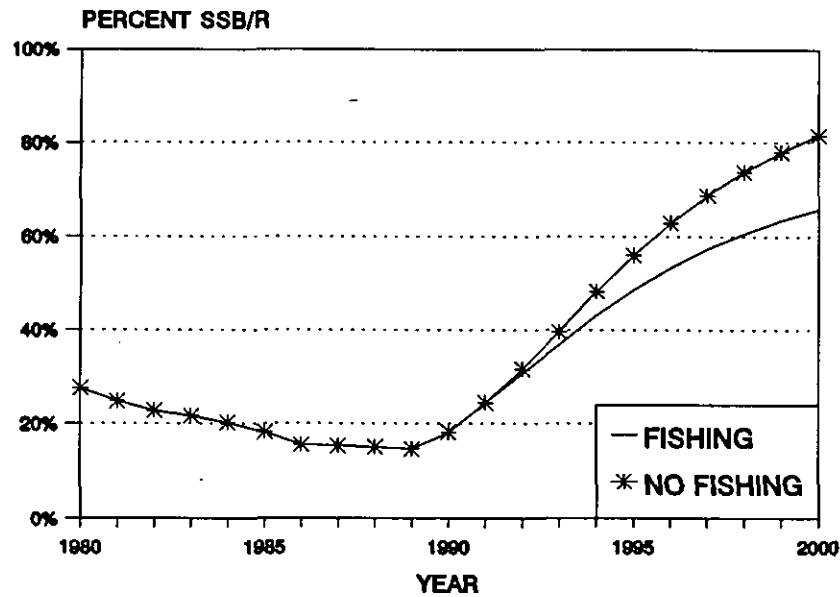


Figure 7. Spawning stock biomass per recruit for female red drum from Scenario 1.

RED DRUM SPAWNING STOCK BIOMASS / RECRUIT

SCENARIO 2

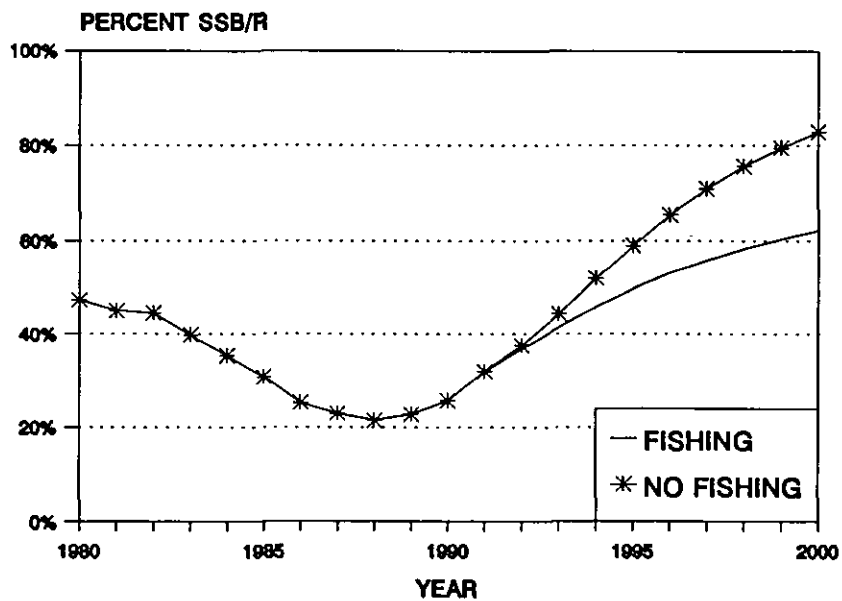


Figure 8. Spawning stock biomass per recruit for female red drum from Scenario 2.

PREDICTED RECREATIONAL BAG LIMIT BASED ON COMMERCIAL ALLOCATION

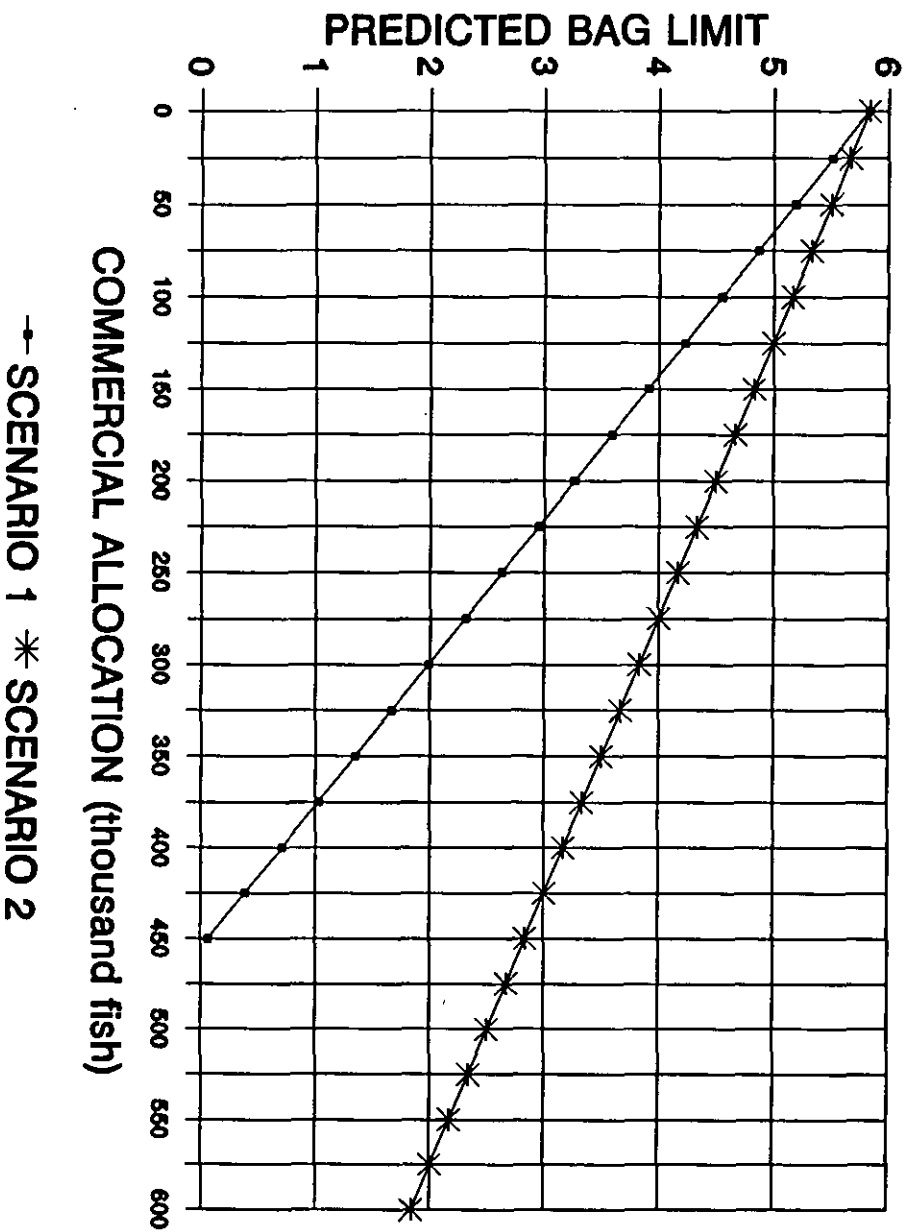


Figure 9. Estimated possible commercial allocation based on recreational bag limits.

SECOND ANNUAL REPORT ON THE STATUS OF RED DRUM

prepared for

**Louisiana Wildlife and Fisheries Commission
Baton Rouge, Louisiana
Bert Jones, Chairman**

by

**Louisiana Department of Wildlife and Fisheries
Marine Fisheries Division
2000 Quail Drive
Baton Rouge, Louisiana**

February 4, 1993

INTRODUCTION

The Louisiana Wildlife and Fisheries Commission in accordance with RS:56:6(27) and HCR 277 of the 1991 Regular Session of the Louisiana Legislature is required to prepare an annual report to the Legislature on red drum. The statute and HCR each require the Commission address three separate issues as follows:

- 1) Biological condition, profile and stock assessment
- 2) Total allowable catch with probable allocation scenarios
- 3) Detailed explanation of whether or not gamefish status should be continued.

This document is prepared by the Louisiana Department of Wildlife and Fisheries to provide the Commission with the information needed to fulfill their obligation as stated above. This report addresses each issue individually and uses the best data available to the Department at this time. "Biological Condition" has been interpreted as "Status of the Stock" and is based on information in the biological profiles and stock assessment, so it is placed at the end of that section.

PROFILE, STOCK ASSESSMENT AND BIOLOGICAL CONDITION

A detailed review of the profile and stock assessment, "A Profile and Stock Assessment for Red Drum Sciaenops ocellatus, in Louisiana" was prepared by the Department in May, 1991. This report updates that document and last year's

report to the Legislature with additional data.

Biological Profile

The basic biological profile of the species was described in the draft "Biological and Fishery Profile of the Red Drum in Louisiana" by Hoese et al., which was presented to the Louisiana Legislature in May, 1991. Two studies, described below, have provided additional data since that time.

Wilson et al. (1992 and personal communication) provided additional data on adult red drum from purse seine samples offshore. Aged samples of red drum captured by purse seine first aroused concern in the mid-80's about the status of the offshore stock by noting the relatively low number of young and middle-aged fish in these samples. The data from recent years show significantly increased numbers of younger fishes (< age 9) in the offshore schools sampled by purse seines. Wilson et al. (1992) noted that this increased occurrence of younger fish seems independent from the occasional schools of very young fish (average school age < 9) seen in some years. The 1985 and 1987 year-class fish seem to be especially prominent in recent data, suggesting strong recruitment to the offshore population of fish spawned in 1985 and 1987 (Figures 1 and 2). The exact magnitude of these year-classes will probably not be known for some time, since they may still not be fully available to the purse seine gear. Age at full recruitment to the gear is uncertain, but may be 6 - 10 years.

Data on recruitment of juveniles into the Louisiana estuaries was developed by the Department's Finfish Monitoring Program (Figure 3). Initial estimates of recruitment for young-of-the-year juveniles, only a few inches long, are provided each fall by seine samples. Trammel nets sample juveniles just over one year old, very near the time they enter the recreational fishery. These independent estimates are generally well correlated.

Recent estimates of recruitment have shown strong differences between year classes. The initial estimates for the 1989 year class in seine samples during the Fall of 1989 indicated low recruitment. Numbers of age 1 fish in 1991 (1989 year-class) were also below average in trammel net samples. These low catch/effort indices were also reflected in reduced recreational catch for this cohort.

This year-class was followed by one of the strongest yet seen in the monitoring program, which began in 1986. By the fall of 1992, the 1990 year-class fish averaged 20-24 inches and 3-5 pounds. Recreational fishing success provided by this cohort was significantly better than average in the 1991-1992 fishing year (September 1991-August 1992), according to information provided by the National Marine Fisheries Service ongoing Marine Recreational Fishery Statistics Survey (MRFSS). This increased success was predicted in the report provided last year to the Legislature. In 1993, this cohort should provide increased availability of larger (5 - 10 lb.) fish. However, this size fish typically represents a relatively small portion of the overall recreational harvest.

Initial (seine) estimates of the 1991 year-class indicated a year-class strength near average. Recent (October-December 1992) trammel estimates indicate a higher year-class strength than the seine estimates. This may have been due to increased survival over the mild winter of 1991-1992, or due to normal variation between the sampling regimes.

Seine samples from the fall of 1992 provide the first estimate of the 1992 year-class strength. The data from these samples suggest that the 1992 year-class may be below average. Based on this assessment of the year-class strength, numbers of available fish 16-19 inches TL will be reduced in the 1993-1994 fishing year.

Stock Assessment

Prior to the Department's development of an assessment of Louisiana's red drum stock, the most recent assessment for red drum was a gulf-wide assessment provided by Goodyear (1989). While the data summaries for his assessment have been updated (Goodyear 1990, 1991), the underlying assessment has not been reaffirmed since 1989. An update of his gulf-wide assessment is expected during 1993. Goodyear's assessment is based on the assumption that the offshore purse seine data accurately represents the offshore age structure. His interpretation of the results is that a significant decline in recruitment to the offshore population occurred in the mid 1970's. He was unable to fully explain the cause of this decline but did in part attribute it to increased harvest levels of juvenile red drum during the mid to

late 70's in estuarine or inshore areas. His assessment is similar in concept to the first scenario of the Department's analysis.

1992 Assessment Methodology

In the report presented to the Commission in 1992, the Department developed two potential scenarios describing the status of the red drum stock in Louisiana. Scenario 1 used the age structure of the offshore population, as suggested by the purse seine samples, to estimate annual recruitment of red drum from 1972 to present. This scenario was further separated into two options. The first option used the highest estimates of recruitment suggested by the offshore age structure to predict the population status in terms of recruitment, female spawning biomass and SSBR, while the second option used the lowest estimates of recruitment. Scenario 2 used constant recruitment at the average levels estimated from 1984-1986. The Department's sampling program was available to indirectly estimate recruitment during these years.

In summary, the 1992 assessment was simply an update of the May, 1991 assessment, adding two years (September 1990 - August 1992) of additional data and supporting evidence acquired since that assessment.

1993 Assessment Methodology

The methodology used in this year's assessment is virtually identical to last year; however, the assumption of full recruitment to the purse seine gear prior

to age 5 and constant recruitment to the population were not required because of the availability of recently collected data. Scenario 1 continues to rely on offshore purse seine samples to estimate the relative abundance of adult fish in the population. The 1991-1992 purse seine samples collected by LSU allows us to estimate the number at age of adult fish based on the 1986 cohort at age 5. This is a distinct advantage over the previous assessment which relies on ages 2 to 4 year old fish being fully available to the purse seine gear. It is more reasonable to assume that age 5 fish, which are mature, are more available to the gear. Scenario 2 no longer relies on constant recruitment.

The current assessment uses catch per effort by trammel nets from the Department's finfish monitoring program to calculate fishing mortality of age 1 fish for the 1986 cohort, and to estimate recruitment in Scenario 2 for 1987-1991. Recruitment estimates for both scenarios are developed by use of an age-structured analysis (VPA) for 1972-1985. The VPA for Scenario 1 is based on the occurrence of red drum from the 1991 purse seine data in relation to the occurrence of the 1986 cohort. In contrast, recruitment estimates in Scenario 2 are developed by using the fishing mortality rate for age 5 fish in the 1986 cohort as a terminal fishing mortality rate for 1972-1985. Recruitment estimates for each scenario are presented in Figure 4. In both scenarios a Ricker spawner/recruit curve is developed to project recruitment into the future to further evaluate the impact of fishing on the population (Figures 5 and 6).

Biological Condition (Status of the Stock)

The results of Scenarios 1 and 2 are depicted in Figures 7 and 8. The figures show the impact on spawning stock biomass per recruit (SSBR) under two different conditions: A) fishing continued at current levels, B) a complete closure of all fishing beginning September 1, 1992.

Simulations of future conditions under both Scenario 1 and 2 indicate that under current rates of fishing mortality, spawning biomass will increase over time. There is still uncertainty, however, as to whether Scenario 1 or Scenario 2 depicts the actual current status of red drum in Louisiana or whether neither scenario is completely accurate. We choose to view both Scenario 1 and Scenario 2 as possible based on available data at this time, and can offer no further resolution until additional data support either scenario. In either case, SSBR of females in 1992 is approximately 40% of the average biomass under unfished conditions. The major difference between the scenarios is that spawning biomass under Scenario 1 is estimated to be about 69% of that estimated under Scenario 2. For example, under Scenario 1, 1992 spawning biomass of females is estimated as 24 million pounds. Under Scenario 2, 1992 female spawning biomass is estimated as 35 million pounds.

The Department, after a thorough review of all available data on red drum, feels that the results of this assessment and simulations of future conditions best describe the status of the red drum stock in Louisiana. However, an assessment is only as good as it reflects actual conditions. The status of the stock is

composed of two parts, one being the impact of current regulations on the future condition of the stock, and the other being the current status of the stock as resulting from past mortality rates. We feel confident that this assessment accurately represents the impact of current regulations and these regulations adequately provide sufficient survival to maintain the spawning biomass well into the future. We have less confidence in our characterization of the current status of the stock. The cause for uncertainty is the current status of the stock in relation to estimates of mortality prior to 1980. As in any assessment, there are a number of assumptions that must be made to develop mortality estimates. It is the accuracy of those assumptions that are critical to adequately characterizing the current status of the stock. We feel that further verification of the scenarios presented are required before any adjustments in total harvest can be recommended.

We are confident in the simulations of future conditions if the assumption of no change in overall fishing pressure is not violated. Increases in fishing pressure (fishing mortality) could come from many sources even though current regulations remain unchanged. For example, anglers could increase the number of trips targeting or harvesting red drum thus increasing the annual fishing mortality. More efficient methods of angling for red drum could be developed or popularized. New users of the resource (additional recreational anglers or increased by-catch mortality by harvesters) could enter the fishery. Due to such factors, it will always be impossible to predict completely the effects of current regulations on the future condition of the red drum resource.

Current regulations governing the recreational fishery (size limits and daily bag limits) control fishing mortality only indirectly, but do not control overall fishing pressure.

If fishing mortality remains at current levels additional studies in future years should allow a more precise estimation of the current status of the stock and consequently the allowable harvest. It is anticipated that after 1995 the uncertainty of which scenario is most accurate should be resolvable because there will be sufficient differences in the projected size of the offshore schools of red drum provided by each scenario. However, additional sampling efforts to measure the magnitude of the offshore population in 1995, such as the 1986 tagging study by Nichols (1988), will be necessary to detect these differences. We strongly recommend that the Commission and Legislature petition the National Marine Fisheries Service to conduct a study with the objective of measuring the magnitude and age structure of the offshore population.

TOTAL ALLOWABLE CATCH WITH PROBABLE ALLOCATION SCENARIOS

The intent of this section is to provide guidance as to the allowable catch and predicted results of changes in allocation between the commercial and recreational sectors of the red drum fishery. At this time we recommend no increase in current fishing mortality rates on red drum. Given this recommendation, in order to allocate harvest to the commercial sector at this time, it would be

necessary to remove this harvest from the recreational sector.

There are an infinite number of probable allocation scenarios, depending on the method used to regulate either sector and the availability of suitable data. Given the available data we have reviewed two methods: A) an increase in the recreational minimum size limit to 18" total length; and B) the predicted impact of a commercial allocation on the recreational bag limit.

There is no reliable estimate of total allowable catch due to the uncertainty in selecting the most accurate stock condition scenario; therefore, we have supplied predicted allocation scenarios based on both of the stock scenarios defined in the stock assessment section (Scenario 1 and Scenario 2). It should be realized that allocation resulting from Scenario 1 would be the more stringent and would be the most biologically conservative.

The first approach increases the recreational minimum size limit from 16 to 18 inches total length. The predicted reduction in the recreational harvest is approximately 126,000 fish for Scenario 1 and approximately 230,000 fish for Scenario 2. If a commercial quota is implemented, it could then be all or some portion of the reduction in the recreational harvest.

The second approach to allocation considers the effect of setting a commercial allocation based on the current recreational daily bag limit. The MRFSS creel survey indicates there is harvest in excess of the current bag limit

which is represented by that portion of Figure 9 between a bag limit of 5 and 6. If there was complete compliance with the current bag limit, an allocation of approximately 60,000 fish to the commercial fishery would be possible under Scenario 1 and approximately 125,000 fish under Scenario 2, without any change in the current daily bag limit. Figure 9 also allows comparison of many variations of a commercial allocation. For example, if a commercial allocation of 100,000 fish is chosen, the appropriate reduction in the recreational bag limit based on Scenario 1 would be to 4 per person per day. For Scenario 2, 5 per person per day would be acceptable.

The allocation scenarios presented here are intended only to provide guidance in estimating the impact of the allocation of a commercial harvest and again the results of Scenario 1 would be the most conservative of the two scenarios examined.

GAMEFISH STATUS

The designation of "gamefish" as it relates to the current status of red drum is of little biological utility, but rather a social or political approach to the allocation aspect of management. Biologically, there is no difference between a fish harvested by rod and reel or that harvested in a net. The biological integrity of a fish resource is influenced by the number of fish harvested and the sizes (or ages) at which they are harvested. Size limits, bag limits and quotas are examples of biological tools typically used to control harvest and protect the biological integrity of a fish resource.

Gamefish status in and of itself does little to control total harvest or protect the biological integrity of the red drum stock, since it does not control the amount of effort expended or restrict the amount of time a fish is in the fishery.

We are not in a position to address non-biological aspects of gamefish; rather, simply to state that biologically, gamefish status is of little consequence as it relates to the present or future condition of Louisiana's red drum stock.

REFERENCES

- Goodyear, C. P. 1989. Status of the red drum stocks of the Gulf of Mexico, Report for 1990. NMFS/SEFC Contrib. CRD 88/89-14. 62pp.
- Goodyear, C. P. 1990. Status of the red drum stocks of the Gulf of Mexico. Report for 1990. NMFS/SEFC Contrib. MIA-89/90-26. 23pp.
- Goodyear, C. P. 1991. Status of the red drum stocks of the Gulf of Mexico. Report for 1991. NMFS/SEFC Contrib. MIA-90/91-87. 23p.
- Hoese, H. D., D. W. Beckman, R. H. Blanchet, D. Drullinger, and D. L. Nieland. 1991. A biological and fisheries profile of Louisiana red drum Sciaenops ocellatus. LDWF Fishery Management Plan Series, Number 4 Part 1 (Final Draft).
- LDWF. 1991. A stock assessment for Louisiana red drum, Sciaenops ocellatus. LDWF Fishery Management Plan Series, Number 4 Part 2 (Final Draft)
- Nichols, S. 1988. An estimate of the size of the red drum spawning stock using mark/recapture. Tech. Rep. NMFS/SEFC, Pascagoula Lab, March 1988. 11 pp., 8 tab. 5 fig.
- Wilson, C. A., D. W. Beckman, D. L. Nieland, and A. L. Stanley. 1992. The variation of year-class strength and annual reproductive output of red drum, Sciaenops ocellatus, and black drum, Pogonias cromis, from the northern Gulf of Mexico and Age structure and reproductive potential of the northern Gulf of Mexico Offshore population of red drum not vulnerable to purse seine capture: the missing fish? LSU-CFI-92-2 CFI/LSU Final Report, 1990-1991 MARFIN Co-op Agreements NA90AA-H-MF724 and NA90AA-H-MF763. 40pp., 16 figs.

PURSE SEINE AGE FREQUENCY OF RED DRUM 1990 - 1991

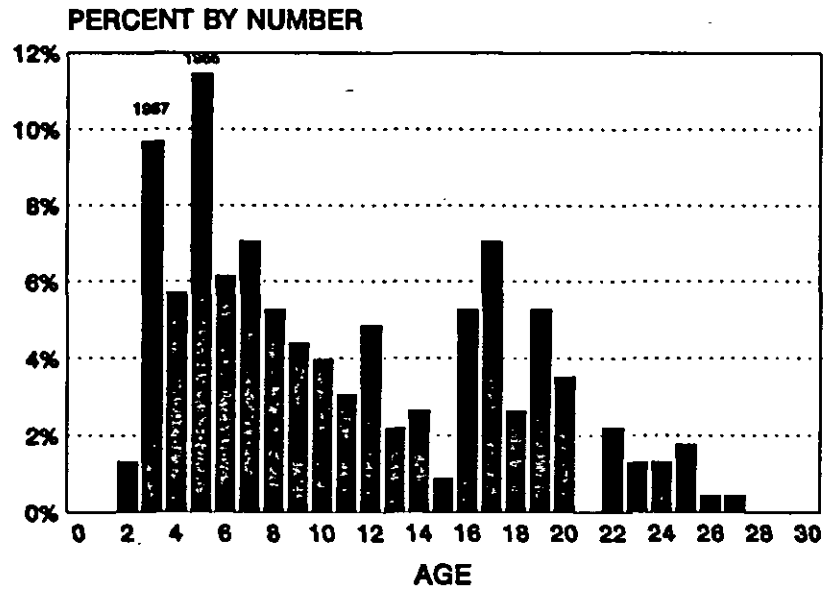


Figure 1. Purse seine age frequency, 1990-91. Data from Wilson et al. (1992 and pers. comm.).

PURSE SEINE AGE FREQUENCY OF RED DRUM 1991 - 1992

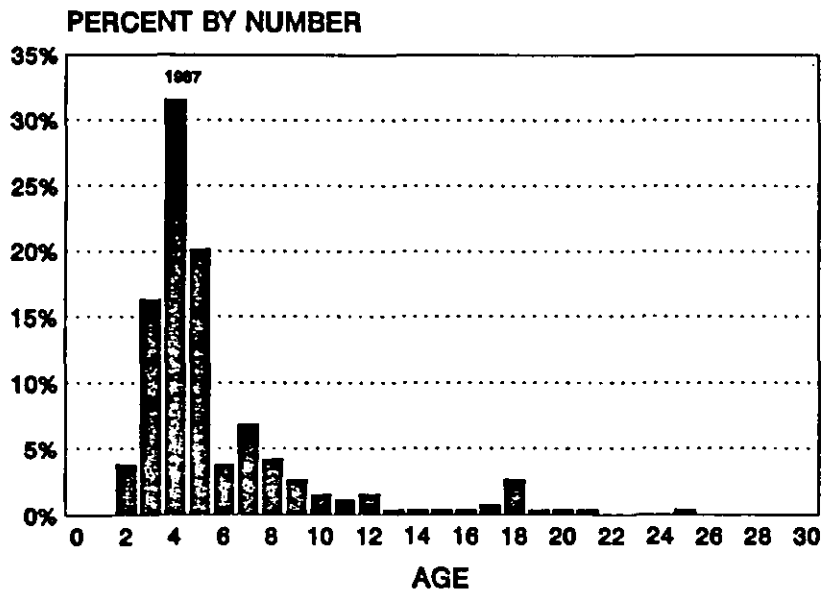


Figure 2. Purse seine age frequency, 1991-92. Data from Wilson et al., pers. comm.

Catch/Effort of Red Drum in Seines and Trammel Nets

by cohort

SEA = Oct - Dec

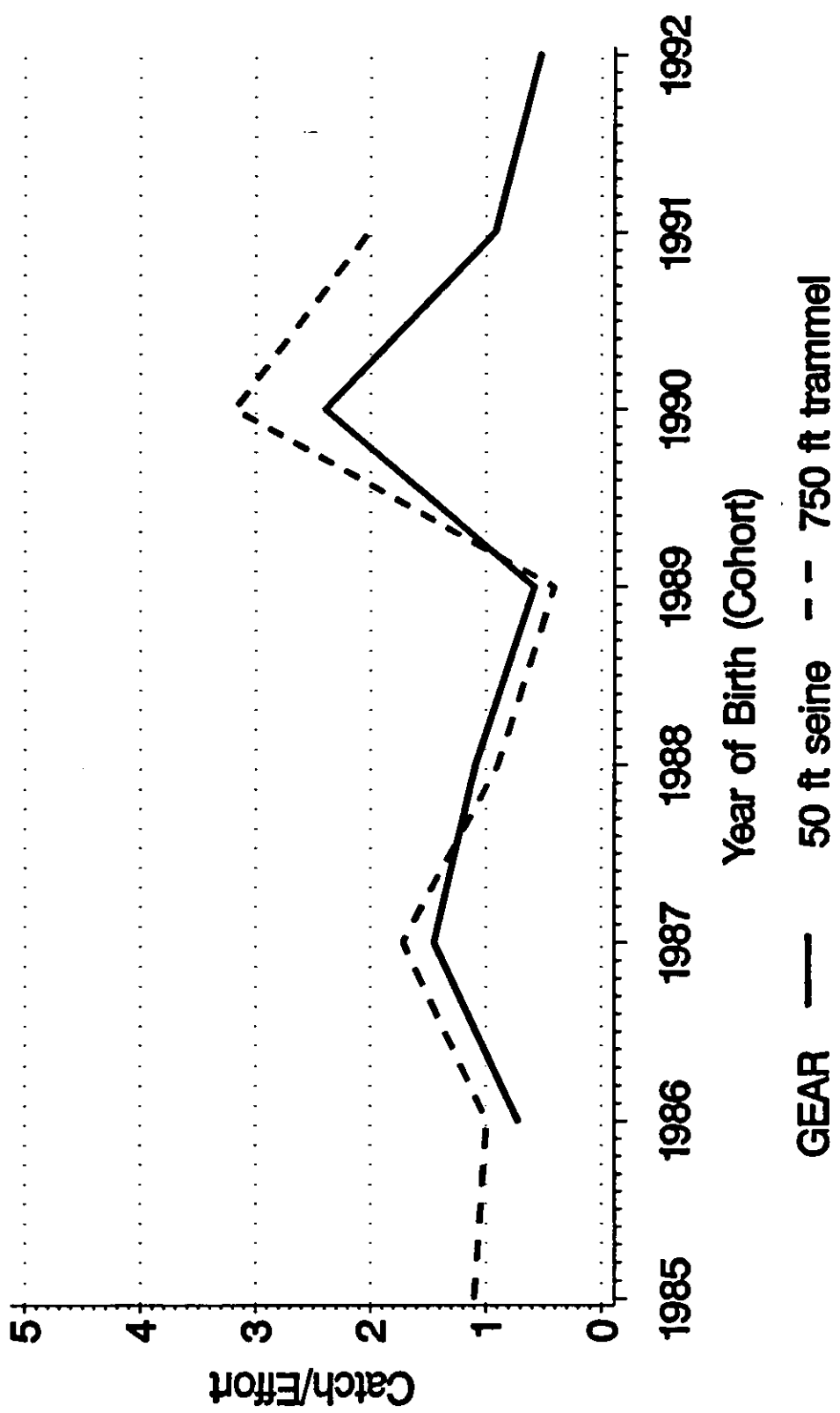


Figure 3. Mean catch per effort of red drum in LDWF seine and trammel net samples.

RED DRUM SIMULATED RECRUITMENT

SCENARIO 1 VS SCENARIO 2

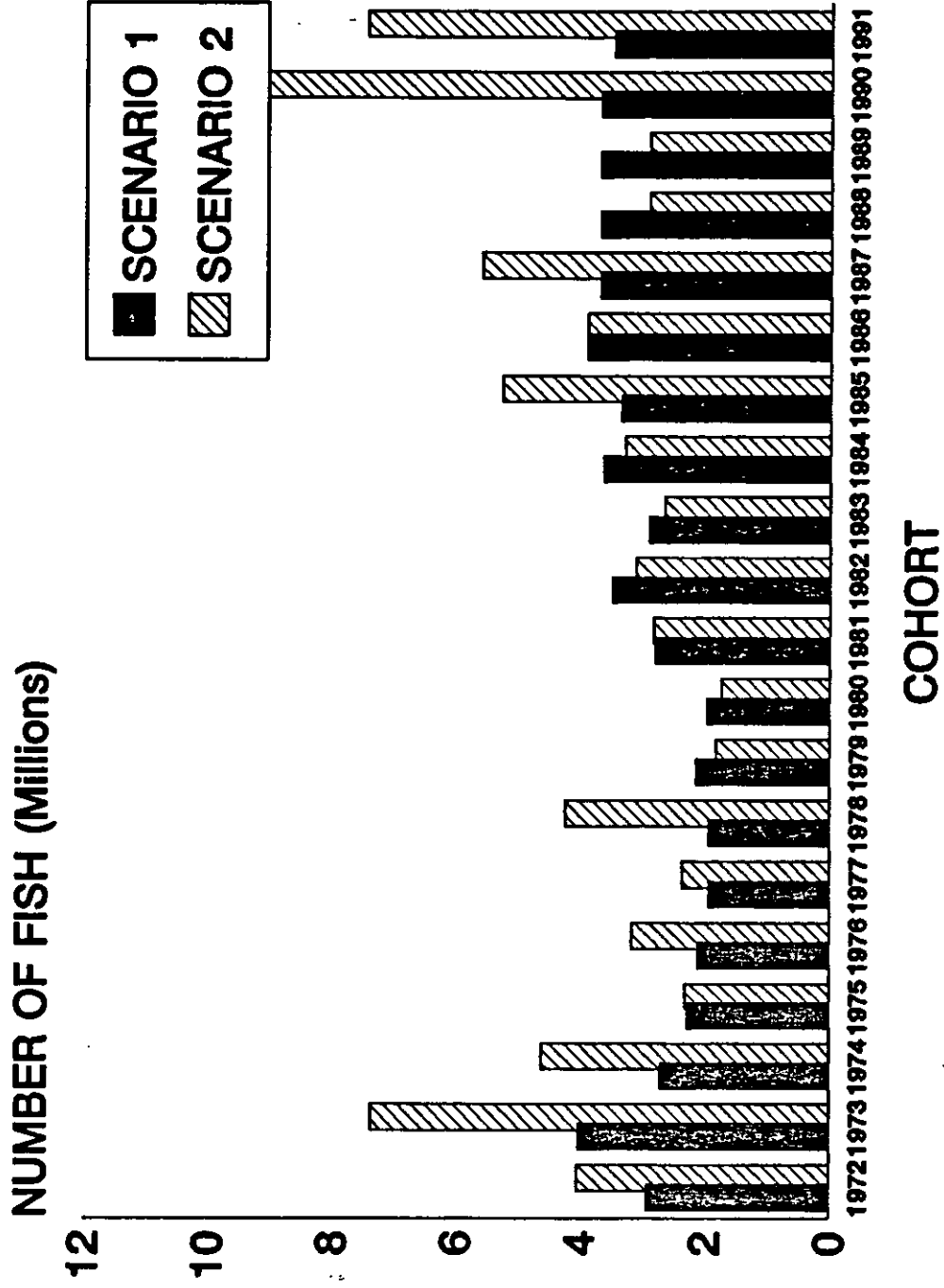


Figure 4. Recruitment estimates from Scenario 1 and Scenario 2.

RICKER RECRUIT CURVE FOR RED DRUM SCENARIO 1

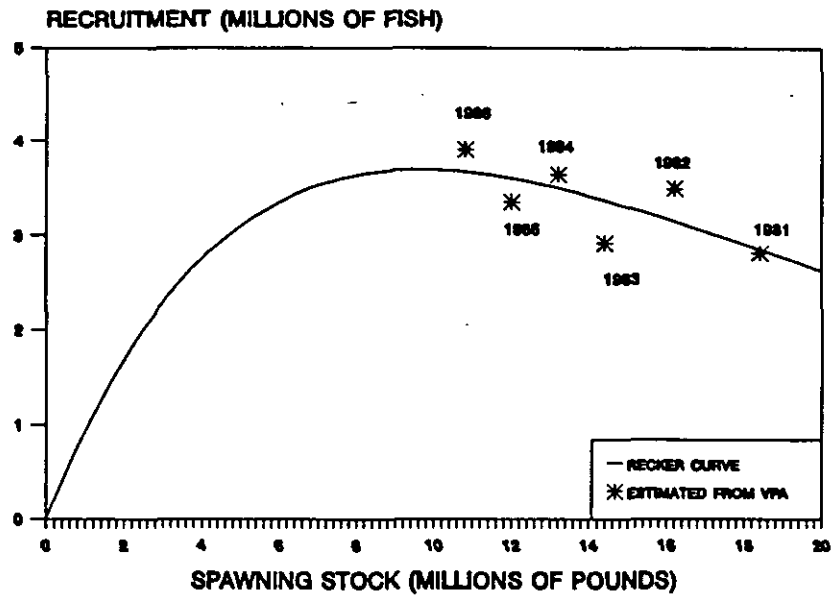


Figure 5. Ricker spawner/recruit relationship for Scenario 1.

RICKER RECRUIT CURVE FOR RED DRUM SCENARIO 2

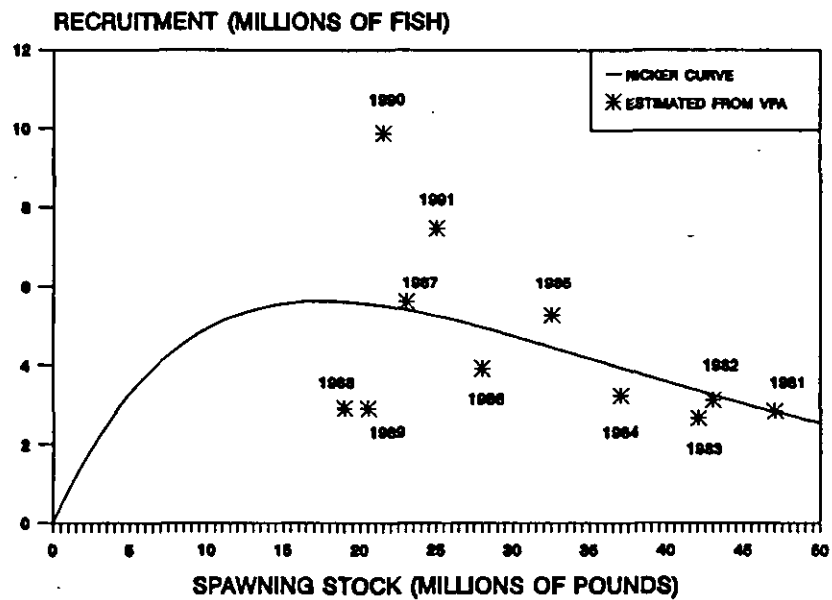


Figure 6. Ricker spawner/recruit relationship for Scenario 2.

RED DRUM SPAWNING STOCK BIOMASS / RECRUIT SCENARIO 1

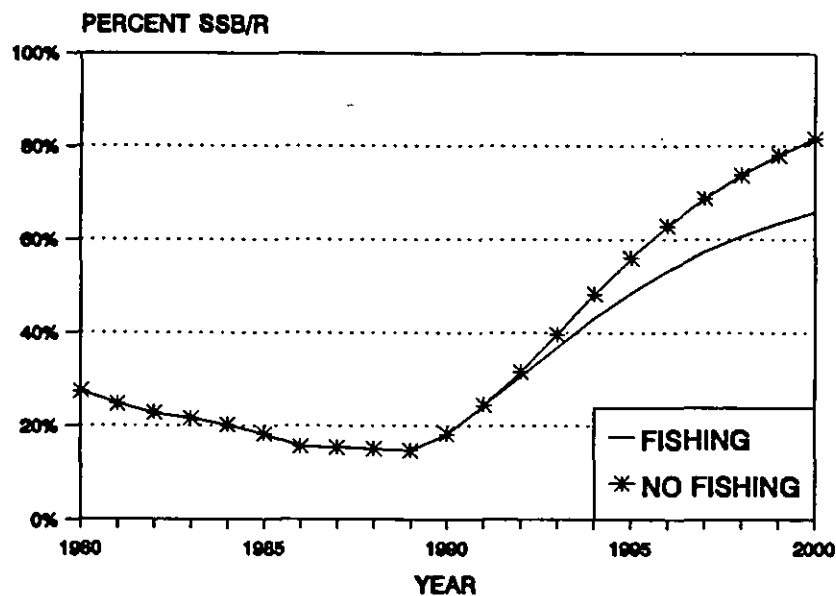


Figure 7. Spawning stock biomass per recruit for female red drum from Scenario 1.

RED DRUM SPAWNING STOCK BIOMASS / RECRUIT SCENARIO 2

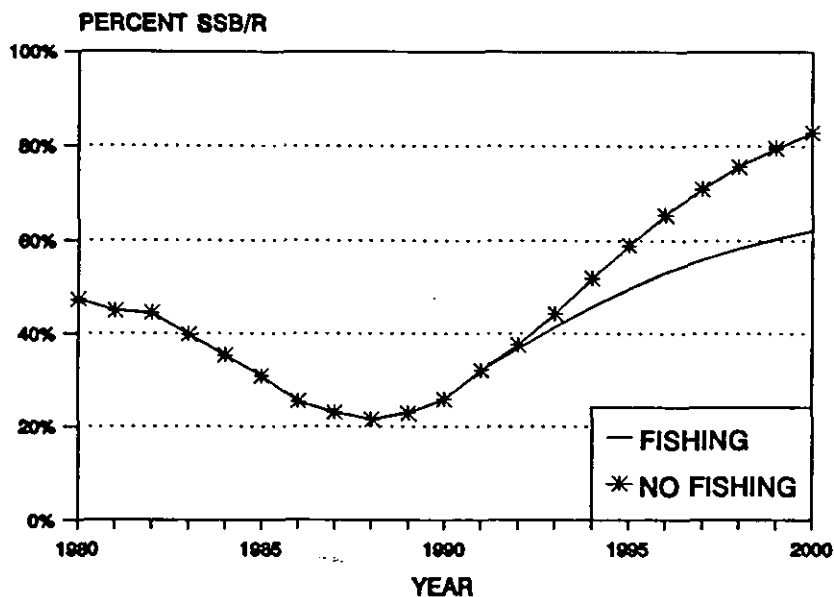


Figure 8. Spawning stock biomass per recruit for female red drum from Scenario 2.

PREDICTED RECREATIONAL BAG LIMIT BASED ON COMMERCIAL ALLOCATION

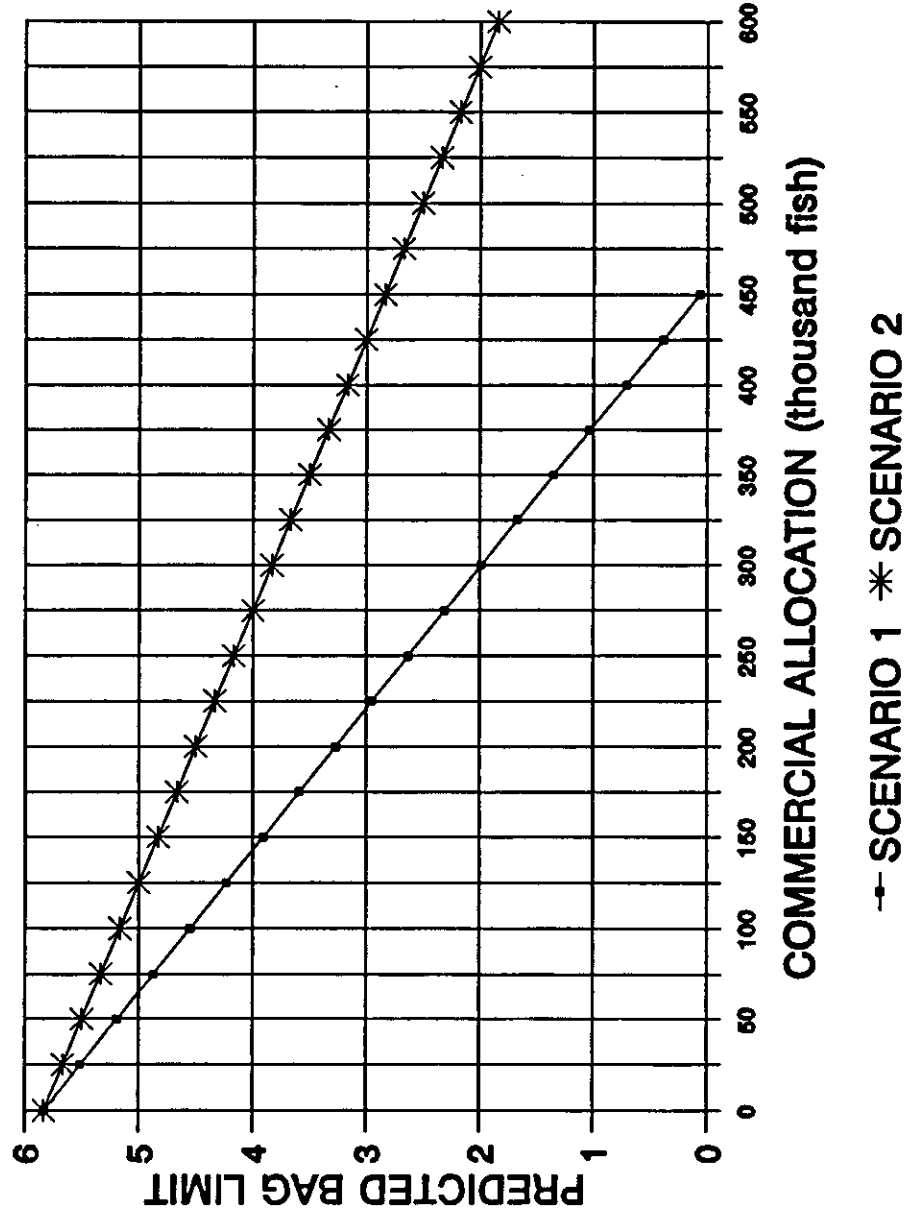


Figure 9. Estimated possible commercial allocation based on recreational bag limits.

LWFC releases redfish report, doesn't recommend status change

By JOE MACALUSO
Advocate outdoors writer

The Louisiana Wildlife and Fisheries Commission passed along the Department of Wildlife and Fisheries' annual redfish report to the Louisiana Legislature without recommending any change in the gamefish status of the species.

The action was the most heated of the 16 agenda items at Thursday's monthly meeting.

Several commercial fishermen insisted the LWFC follow the Legislature's mandate which, in part, directs the LWFC to give a "detailed explanation of whether or not gamefish status should be continued."

Gamefish status was given to redfish by an act of the Louisiana Legislature, thereby removing the fish from commercial harvest.

LWFC members Tee John Mialjevich, Perry Gisclair and Pete Vujnovich, who are involved in commercial fishing interests, agreed with the commercial fishermen.

After Commission chairman Bert Jones declared that in order to debate the issue, it had to be on the agenda. Since it wasn't, Jones said the matter would not be heard, though the LWFC would accept public comment. Mialjevich, noticeably angered by the ruling, said, "I don't know what I'm doing here."

Mialjevich sought a ruling from LDWF attorney Mike Landrum, who agreed with Jones, but added that the item could be addressed if the commission had a two-thirds majority in a vote to suspend the rules. Mialjevich's motion failed and he, along with Gisclair, placed the item on the agenda for the March 4 meeting.

The annual report indicated that the numbers of young redfish in the state's estuaries dropped in 1992 and, according to the report, that "numbers of available fish 16-19 inches (total

length) will be reduced in the 1993-94 fishing year."

The report showed the 1990 year-class redfish had, by the end of 1992, grown to 20-24 inches and 3 to 5 pounds. The report described the 1990 class as being one of the "strongest yet seen in the monitoring program," which began in 1985.

The report also stated, "At this time we recommend no increase in current fishing mortality rates on red drum (redfish)."

The significance of these two sizes is that recreational fishermen target 16-19 inch redfish in their catches, while commercial fishermen would be more likely to take the larger fish. All legal redfish catches must come from state waters since there is a ban on the taking of redfish from federal waters.

The language in the report that triggered the call for the recommendation for a status change was, "... in order to allocate harvest to the commercial sector at this time, it would be necessary to remove this harvest from the recreational sector."

"All we want is a commitment from the commission to give us a season," said Orleans Parish commercial fisherman Peter Gerica. "Since the report gives a scenario for (commercial) allocation, we believe they (the LWFC) should re-evaluate the status and give us a quota. We want them to go to a 'tag' system which would give the LDWF Enforcement Division an easier time to enforce the rules, and give the biologists a more solid base for their studies."

The report addressed the current gamefish status issue by declaring that it "... is of little biological utility, but rather a social or political approach" to allocating what the LDWF biologists believe is number of redfish that should be caught in any one year.

Several Louisiana commercial fishermen were also angered by red snapper regulations the commission

passed in an emergency declaration. At issue was the need to make Louisiana red snapper regulations conform to new rules passed by the National Marine Fisheries' Gulf of Mexico Council.

While the commercial red snapper quote was raised by over 1 million pounds this year, only those fishermen possessing "a red snapper endorsement" from the GMC's Reef Fish committee can have more than 200 pounds per day — but not more than 2,000 pounds. The upcoming red snapper season is the first in which the endorsements will be needed to make the larger catches.

The 2,000-pound restriction was added to this year's regulations to ward off last year's fall in wholesale prices. The commercial quota of over 2 million pounds was taken in 48 days last year.

To receive an "endorsement" commercial fishermen had to prove that he or she caught at least 5,000 pounds of red snapper each year in two of the last three years. Louisiana fishermen have complained that that total is too high, that they don't target red snapper as an individual species, and have been refused application for the endorsement. Others complained that Louisiana's offshore waters are dominated by "snapper boats" from Florida and Texas.

The commission heard from LDWF secretary Joe Herring that the department was awaiting further legal review of its documents before issuing a statement regarding the case-by-case disposition of four Winn Parish men involved in 27 alleged wildlife violations.

In other action, the LWFC voted unanimously to ratify the state's new alligator harvest regulations, passed on department recommendations for a new 14-17 inch slot limit and a new 10-largemouth bass daily limit at Caddo Lake, and increased the daily limit from 10 sacks to 15 sacks in Calcasieu Lake public oyster grounds.

the players each received \$400 and Terrace, a public housing project. The other two were paid performed, the report said. Texas A&M also views the "clary," the school said. defined by the NCAA as only limited recruiting or isolated or inadvertent.

ing in regatta

row is one of four Louisiana in the Miami Olympic Classes Thursday at the U.S. Sailing

Andy Lovell, is competing in entry of John Lovell and in the Tornado class while competing in the M Board

the format and classes to be in Savannah, Ga., is Canadian-American series.

Football program

Budget constraints have Clara University, ending a that boasted victories in the

of deep anguish," athletic making the announcement the family."

victories, the Broncos also former Dallas Cowboy Doug 49er Brent Jones, as well as Pastorini.

course of action became resident Rev. Paul Locatelli.

personally because I have for the many outstanding to have participated in our ches, past and present."

major upsets including two 1936 and 1937. Probably the er, came during the reign of beat Paul "Bear" Bryant's Orange Bowl.

at SCU. Funding forced ort was not reinstated until

ason, their final game a 55- the 49th Little Big Game.

We're Giving Away Store ... almost ...

interest, extra discounts. Yes, we're giving away the store -- almost. month and we must make the sales figures. Our loss, your gain. Hurry up the biggest furniture and appliance values offered in this area. at OLINDE'S

LOUISIANA DREDGING COMPANY

P. O. Box 1417
KENNER, LOUISIANA 70063

January 28, 1993

Chairman & Members of
The Louisiana Wildlife and Fisheries Commission
P. O. Box 98000
Baton Rouge, Louisiana 70898-9000

Re: Lease for Fossil Shell Extraction
From State Owned Water Bottoms
Dated as of September 5, 1991

Gentlemen:

Acting upon the advise of Mr. Don Puckett and Ms. Karen Foote, we have requested permission to address the Commission on February 4, 1993 to propose the following:

That Louisiana Dredging Company be allowed to obtain a substitute performance bond from a different surety. This surety would be fully qualified and acceptable to the Department.

That since the original bond was fixed as the aggregate of the \$800,000 minimum for three years, and since the first lease year has been completed and Louisiana Dredging Co. has paid the first year's minimum royalty of \$800,000, we assume that the bond would be for the amount of \$1,600,000 which is the aggregate of the minimum annual royalties for the second and third lease years.

Thank you for your cooperation and assistance.

Yours very truly,

Louisiana Dredging Company



Richard B. Koen

RBJ/soc

Request copy of minutes relative to this item

*Mailed
2/17/93 - sch
Richard Koen*

DATE: 3-FEB-1993

CIVIL RESTITUTION ACTIVITY REPORT
 CURRENT MONTH 01/01/1993 TO 01/31/1993 FISCAL YEAR TO DATE 07/01/1992 TO 01/31/1993 INCEPTION TO DATE 01/31/1993

ORIG RESTITUTION VALUES ENTERED
 SALE OF CONFISCATED COMMODS
 SALES EXCEEDING RESTITUTION

RESTITUTION ASSESSED

77	\$35,469.68	1,044	\$461,521.25	1,374	\$627,229.52
2	\$1,270.10-	116	\$55,428.50-	185	\$121,801.90-
1	\$291.00	50	\$8,650.73	90	\$21,444.88

77	\$34,490.58	1,044	\$414,743.48	1,374	\$526,872.50
PAYMENTS					
OVERPAYMENTS	75	775	\$53,889.48-	791	\$56,744.96-
DISCOUNTS FOR TIMELY PAYMENTS	1	1	\$7.49	1	\$7.49
REFUNDS	43	207	\$10,296.06-	207	\$10,296.06-
REIMBURSEMENT REFUNDS	0	2	\$392.80	2	\$392.80
RETURNED CHECKS	0	0	\$7,038.85	2	\$7,038.85
MISC. ADJUSTMENTS	0	0	\$0.00	0	\$0.00
DEBITS	0	0	\$0.00	0	\$0.00
CREDITS	0	4	\$991.94-	4	\$991.94-
REASSESSMENTS	0	7	\$2,025.25	8	\$2,751.49
DEBITS	0	22	\$3,235.43-	29	\$7,783.50-
CREDITS	0	0	\$0.00	0	\$0.00
ADJUST VIOLATION	0	0	\$0.00	0	\$0.00
DEBITS	0	0	\$0.00	0	\$0.00
CREDITS	0	0	\$0.00	0	\$0.00
WRITE-OFFS	4	5	\$3.09-	5	\$3.09-
ASSESSMENTS WITHDRAWN	2	3	\$204.78-	3	\$204.78-

TOTAL OUTSTANDING		555	\$461,038.80		

AGING OF OUTSTANDING CASES

0 - 30 DAYS	117	\$105,448.87
31 - 60 DAYS	33	\$12,585.10
61 - 90 DAYS	8	\$147,800.65
91 - 120 DAYS	82	\$55,974.92
121 - 150 DAYS	89	\$22,578.54
151 - 180 DAYS	60	\$12,277.15
181 - 365 DAYS	166	\$104,373.57
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	0	\$0.00

Wend P. H. 1554 ?

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

DATE: 3-FEB-1993

CLASS I ACTIVITY REPORT
CURRENT MONTH
01/01/1993 TO 01/31/1993

FISCAL YEAR TO DATE
07/01/1992 TO 01/31/1993

INCEPTION TO DATE
01/31/1993

FINES
HEARING COSTS
DEBITS
CREDITS

TOTAL DUE

\$19,650.00

\$314,250.00

\$1,222,427.07

PAID IN FULL
PARTIAL PAYMENTS
OVERPAYMENTS
REFUNDS
RETURNED CHECKS
MISC CHANGES
DEBITS
CREDITS
ADJUSTMENTS TO VIOLATION
DEBITS
CREDITS
VOIDS
NOT GUILTY

	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
PAID IN FULL	92	\$4,571.00-	3,715	\$187,827.62-	11,046	\$558,517.19-
PARTIAL PAYMENTS	5	\$218.72-	92	\$3,917.65-	190	\$7,231.90-
OVERPAYMENTS	1	\$6.00	51	\$2,085.12	79	\$3,901.62
REFUNDS	0	\$0.00	16	\$1,073.50	16	\$1,073.50
RETURNED CHECKS	6	\$300.00	10	\$500.00	10	\$500.00
MISC CHANGES						
DEBITS	6	\$90.00	10	\$150.00	10	\$150.00
CREDITS	1	\$0.75-	32	\$37.51-	49	\$48.76-
ADJUSTMENTS TO VIOLATION						
DEBITS	0	\$0.00	21	\$1,150.00	21	\$1,150.00
CREDITS	0	\$0.00	2	\$50.00-	2	\$50.00-
VOIDS	8	\$200.00-	316	\$13,880.88-	790	\$33,727.88-
NOT GUILTY	2	\$100.00-	122	\$6,100.00-	139	\$6,950.00-
TOTAL OUTSTANDING						\$622,676.46

AGING OF OUTSTANDING CASES
FROM CITATION DATE

	# CASES	AMOUNT
0 - 30 DAYS	173	\$8,700.00
31 - 60 DAYS	0	\$0.00
61 - 90 DAYS	0	\$0.00
91 - 120 DAYS	0	\$0.00
121 - 150 DAYS	0	\$0.00
151 - 180 DAYS	0	\$0.00
181 - 365 DAYS	4,568	\$272,356.43
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	5,211	\$341,620.03

AGING OF OUTSTANDING CASES
FROM HEARING DATE

	# CASES	AMOUNT
PRE HEARING	725	\$37,000.00
0 - 90 DAYS	1,637	\$81,900.00
91 - 180 DAYS	0	\$0.00
181 - 270 DAYS	0	\$0.00
271 - 365 DAYS	4,237	\$256,086.43
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	3,353	\$247,690.03

ENFORCEMENT CASE REPORT

JANUARY, 1993

Operation
Stop 2 Game Thief
Red Fish Case - Last week?
Winn Parish Case - Update

ENFORCEMENT CASE REPORT-JANUARY, 1993

REGION I

TOTAL CASES-40

ENFORCEMENT-40

OTHER -0

3-Boating
4-Angling W/O A License
7-Fish W/O Resident Pole License
1-Use Gear W/O Recreational Gear License
1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License
4-Transport W/O Required License
1-Hunting W/O Resident License
2-Hunting From Moving Vehicle And/Or Aircraft
2-Hunting W/Unplugged Gun Or Silencer
1-Hunt From Public Road Or Road Right-Of-Way
3-Hunt MGB W/O State Stamp
2-Hunt Or Take Deer Or Bear Closed Season
2-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light
2-Hunt Or Take Deer or Bear With Illegal Weapon
2-Possession Of Illegally Taken Deer Or Bear
1-Fail To Wear Hunters Orange
2-Hunting Ducks Or Geese W/O Federal Stamp

CONFISCATIONS:

1 doe deer

GRAND TOTAL OF EACH CATEGORY FOR REGION I

3-Boating
17-Fishing
20-Hunting

Page (2)

REGION 2

TOTAL CASES-72

ENFORCEMENT-72

OTHER -0

12-Boating

6-Angling W/O A License

7-Fish W/O Resident Pole License

1-Use Gear W/O Recreational Gear License

1-Take Illegal Size Black Bass

2-Not Abiding By Commission Rules and Regulations
Comm. Finfish

5-Hunting W/O Resident License

1-Possess Wild Birds Or Wild Quadrupeds W/O A License

1-Bow Hunt W/O Bow License

2-Hunting From Moving Vehicle And/Or Aircraft

2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or
With Artificial Light

2-Hunt From Public Road Or Road Right-Of-Way

1-Hunt MGB W/O State Stamp

1-Hunt W/O Resident Big Game License

3-Hunt Or Take Illegal Deer Open Season

1-Fail To Wear Hunters Orange

1-Hunt Turkey Closed Season

2-Hunting Ducks Or Geese W/O Federal Stamp

1-Hunting MGB With Unplugged Gun

1-Hunting MGB Illegal Hours

3-Transport Completely Dressed MGB

4-Using Lead Shot In Area Designated As Steel Shot Only

REGION 2 CONT'D

- 1-Possess Over Limit Of Ducks
- 1-Hunt MGB Without State Stamp
- 1-Not Abiding By Rules and Regulations On WMA
- 1-Criminal Trespass
- 2-Littering
- 5-Other Than Wildlife and Fisheries
- 1-Flight From An Officer

CONFISCATIONS:

- 1 deer, 4 duck breasts, 6 lead shot, 1 dressed whole duck
- 2 hooded merganser

GRAND TOTAL OF EACH CATEGORY FOR REGION 2

- 12-Boating
- 17-Fishing
- 20-Hunting
- 23-Other

REGION 3

TOTAL CASES-64

ENFORCEMENT-48

OTHER -16

- 7-Boating
- 7-Angling W/O A License
- 2-Fish W/O Resident Pole License
- 1-Use Gear W/O Recreational Gear License
- 1-Take Illegal Size Black Bass
- 1-Take/Possess Spoonbill Catfish
- 1-Take Or Sell Commercial Fish Or Bait Species W/O Comm. License
- 2-Take Commercial Fish W/O Comm. Gear License

REGION 3 CONT'D

- 5-Hunting From Moving Vehicle And/Or Aircraft
- 2-Illegal Possession of Wild Quadrupeds, Birds, or Parts Thereof
- 4-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or With Artificial Light.
- 3-Hunt From Public Road Or Road Right-of-Way
- 3-Hunt Or Take Deer From Public Road
- 1-Hunt Or Take Illegal Deer Open Season
- 2-Hunting MGB Illegal Hours
- 1-Hunting MGB Over Baited Area
- 1-Hunting MGB With Illegal Firearm
- 1-Field Possession Of Freshly Killed MGB Closed Season
- 3-Using Lead Shot In Area Designated As Steel Shot Only
- 1-Possess Over Limit of Ducks
- 1-Taking Or Possession of Other Non-Game Birds - No Season
- 12-Not Abiding By Rules and Regulations on WMA
- 1-Illegal Spotlighting From Public Road
- 1-Other Than Wildlife and Fisheries

CONFISCATIONS:

11 ducks, 2 rabbits, 1 deer, 1 redbill hawk, 1 spoonbill catfish,
2 hoop nets, 150 ft. nylon gill net, 150 ft. mono gill net, 13 lead
shot, 3 lbs. of corn

GRAND TOTAL OF EACH CATEGORY FOR REGION 3

- 15-Fishing
- 40-Hunting
- 7-Boating
- 2-Other

Page (5)

REGION 4

TOTAL CASES-87

ENFORCEMENT-78

OTHER -9

4-Boating
3-Angling W/O A License
1-Fish W/O Resident Pole License
1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealers License
7-Hunting W/O Resident License
10-Hunting From Moving Vehicle And/Or Aircraft
3-Hunting With Unplugged Gun Or Silencer
3-Possess Firearms While Frogging
9-Hunt From Public Road Or Road Right-Of-Way
3-Hunt MGB W/O State Stamp
5-Hunt W/O Resident Big Game License
2-Hunt Deer Closed Area
1-Hunt Or Take Deer Or Bear Closed Season
8-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light
5-Hunt Or Take Deer From Public Road
2-Hunt Or Take Illegal Deer Open Season
2-Hunt Or Take Deer Or Bear With Illegal Weapon
2-Possession Of Illegally Taken Deer Or Bear
3-Hunting Ducks Or Geese W/O Federal Stamp
1-Hunting MGB With Unplugged Gun
3-Hunting MGB Illegal Hours
2-Using Lead Shot In Area Designated As Steel Shot Only
1-Possess Over Limit of Ducks

Page (6)

REGION 4 CONT'D

2-Not Abiding By Rules And Regulations On WMA

1-Other Than Wildlife And Fisheries

3-Discharge Firearm From Public Road

CONFISCATIONS:

4 deer, 3 wood ducks, 1 pistol, 7 rifles, 1 shotgun, 1 spotlight,
7 lead shot shells

GRAND TOTAL OF EACH CATEGORY FOR REGION 4

5-Fishing

62-Hunting

4-Boating

10-Federal

6-WMA

REGION 5

TOTAL CASES-177

ENFORCEMENT-173

OTHER -4

6-Boating

2-Angling W/O A License

2-Take Or Possess Game Fish Illegally

1-Take Or Sell Comm. Fish Or Bait Species W/O Comm. License

1-Take Commercial Fish W/O Commercial Gear License

1-Take Or Possess Commercial Fish W/O Vessel License

1-Fail To Report Commercial Fisheries Data

6-Hunting W/O Resident License

39-Hunting From Moving Vehicle And/Or Aircraft

1-Hunting With Unplugged Gun Or Silencer

REGION 5 CONT'D

48-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or With Artificial Light

32-Hunt From Public Road Or Road Right-Of-Way

1-Possession Of Buckshot During Closed Deer Season

2-Possession Of Illegally Taken Deer Or Bear

1-Fail To Wear Hunters Orange

3-Hunt Raccoons Or Opossum Illegally

1-Possession Of Live Alligators W/O Permit -

1-Hunting MGB With Unplugged Gun

2-Hunting MGB Illegal Hours

2-Hunting Ducks Or Geese W/O Federal Stamp

2-Hunting MGB From Moving Motorboat

3-Possess Untagged MGB

4-Wanton Waste of MGB

2-Using Lead Shot In Area Designated As Steel Shot Only

10-Possess Over Limit of Ducks

1-Taking Or Possession of Other Non-Game Birds, No Season

2-Discharge Firearm From Public Road

CONFISCATIONS:

64 ducks, 19 rabbits, 9 geese, 12 guns, 1 deer, 1 raccoon, 465 lbs.

of shrimp sold for \$443.50, 2 trawl doors

GRAND TOTAL OF EACH CATEGORY FOR REGION 5

6-Boating

8-Fishing

163-Hunting

Page (8)

REGION 6

TOTAL CASES-105

ENFORCEMENT-93

OTHER -12

13-Boating

3-Angling W/O A License

2-Fish W/O Resident Pole License

2-Take/Possess Undersize Commercial Finfish

6-Hunt W/O Resident License

13-Hunting From Moving Vehicle

3-Hunting With Unplugged Gun

12-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

13-Hunt From Public Road

3-Take Rabbits Illegal Methods

1-Hunt W/O Resident Big Game License

1-Possession Of Gun While Bow Hunting For Deer

1-Hunt Deer Closed Area

10-Hunt Or Take Deer or Bear Illegal Hours

2-Hunt Or Take Illegal Deer Open Season

1-Fail To Wear Hunters Orange

4-Hunt/Trap On DMap Lands W/O Permit From Owner/Lessee

5-Hunt Raccoons Or Opossums Illegally

1-Operating A Hunting Preserve Illegal

1-Hunting Ducks Or Geese W/O Federal Stamp

1-Hunting MGB Illegal Hours

3-Using Lead Shot In Area Designated As Steel Shot Only

1-Possess Over Limit Of Ducks

Page (9)

REGION 6 CONT'D

3-Not Abiding By Rules And Regulations On WMA

CONFISCATIONS:

3 wood ducks, 1 button buck deer, 1 doe deer, 9 rabbits, 5 ducks,
1 rifle, 5 shotguns, 3 headlights, 2 spotlights, 1 shell belt,
200 lbs. of catfish donated to charity, 2 hunting licenses

GRAND TOTAL OF EACH CATEGORY FOR REGION 6

13-Boating

7-Fishing

85-Hunting

REGION 7

TOTAL CASES-248

ENFORCEMENT-232

OTHER -16

8-Boating

30-Angling W/O A License

9-Fish W/O Resident Pole License

1-Angling W/O Saltwater License

4-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

2-Possess Crabs In Berry Stage

2-Possess Or Sell Undersized Crabs

1-Buying Or Selling For Resale Untagged Oysters

13-Hunting W/O Resident License

2-Hunting W/O Non-Resident License

35-Hunting From Moving Vehicle And/Or Aircraft

5-Hunting With Unplugged Gun Or Silencer

26-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or
With Artificial Light

REGION 7 CONT'D

- 25-Hunt From Public Road Or Road Right-Of-Way
 - 3-Hunt MGB W/O State Stamp
 - 2-Hunt W/O Resident Big Game License
 - 1-Hunt Or Take Deer Or Bear Closed Season
- 10-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light
 - 9-Hunt Or Take Deer From Public Road
 - 4-Hunt Or Take Illegal Deer Open Season
 - 1-Hunt Or Take Deer Or Bear With Illegal Weapon
 - 2-Possess Over Limit of Deer Or Bear
 - 1-Possession Of Untagged Deer Or Bear
 - 2-Fail To Wear Hunters Orange
 - 1-Dealing In Alligator Parts W/O Proper Parts License
 - 3-Hunting Ducks Or Geese W/O Federal Stamp
 - 4-Hunting MGB Illegal Hours
 - 4-Possess Untagged MGB
 - 1-Possession Over The Two-Day Limit Of MGB
 - 3-Using Lead Shot In Area Designated As Steel Shot Only
 - 6-Not Abiding By Rules And Regulations On WMA
 - 5-Illegal Spotlighting From Public Road
 - 3-Littering
- 17-Other Than Wildlife And Fisheries
 - 3-Discharge Firearm From Public Road

CONFISCATIONS:

5 shotguns, 8 rifles, 1 spotlight, 3 deer, 30 ducks, 5 crates of crabs, 98 berry crabs

Page (11)

REGION 7 CONT'D

GRAND TOTAL OF EACH CATEGORY FOR REGION 7

8-Boating
49-Fishing
142-Hunting
15-Federal
34-Other

REGION 8

TOTAL CASES-201

ENFORCEMENT-168

OTHER - 33

9-Boating
5-Angling W/O A License
1-Angling W/O Saltwater License
2-Possess Over Limit of Red Drum
3-Take Or Possess Undersized Red Drum 16" Minimum
1-Take Or Possess Undersized Spotted Sea Trout
4-Take Or Possess Undersized Black Drum Commission Action
3-Take Or Possess Over Limit Black Drum Commission Action
6-Take Or Sell Commercial Fish Or Bait Species W/O Comm. License
7-Take Commercial Fish W/O Commercial Gear License
8-Take Or Possess Commercial Fish W/O Vessel License
2-Transport W/O Required License
1-Leave Nets Unattended
5-Use Crab Traps W/O Required Markings
1-Take/Possess Oysters W/O Oyster Harvester License
3-Failure To Mark/Tag Nets

REGION 8 CONT'D

- 1-Take/Possess Undersized Black Drum Commercial
- 1-Theft Of Crab Trap
- 1-Possess Or Sell Undersized Crabs
- 2-Possession Of Untagged Oysters
- 6-Hunting W/O Resident License
- 5-Possess Wild Birds Or Wild Quadrupeds W/O A License
- 7-Failure To Abide By Commission Rules
- 9-Hunting From Moving Vehicle And/Or Aircraft
- 5-Hunting With Unplugged Gun Or Silencer
- 18-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or With Artificial Light
- 8-Hunt From Public Road Or Road Right-Of-Way
- 3-Hunt MGB W/O State Stamp
- 1-Driving On Levees
- 1-Fail To Wear Hunters Orange
- 5-Hunting Ducks Or Geese W/O Federal Stamp
- 4-Hunting With Unsigned Duck Stamp
- 2-Hunting MGB Illegal Hours
- 1-Possession Over The Two-Day Limit of MGB
- 2-Wanton Waste Of MGB
- 5-Using Lead Shot In Area Designated As Steel Shot Only
- 6-Possess Over Limit of Ducks
- 4-Taking Or Possession of Other Non-Game Birds - No Season
- 1-Not Abiding By Rules and Regulations on WMA
- 14-Criminal Trespass On State Property
- 9-Criminal Trespass

REGION 8 CONT'D

2-Illegal Spotlighting From Public Road
1-Littering
4-Other Than Wildlife And Fisheries
5-Trespass On Property After Forbidden
2-Possess/Take Undersize Federal Controlled Fish
2-Possess/Take Over Limit Federal Controlled Fish
2-Take Federal Controlled Fish in Closed Season
1-Driving Without Operators License

CONFISCATIONS:

2 flashlights, 2 headlights, 1 Q-Beam, 3 ice chests, 7 crab traps,
1 crab trap tag, 13 guns, 32 gun shells, 4 gun shell boxes,
1 navigational chart, 2 duck stamps, 600 ft. of gill nets,
1 company check in the amount of \$171.60 seized, 5 speckled trout,
21 red drum, 45 black drum, 1 box crabs, 18 sacks oysters returned
to area, 15 sacks oysters destroyed, 22 rabbits, 1 doe deer,
36 ducks, 2 terns destroyed

GRAND TOTAL OF EACH CATEGORY FOR REGION 8

9-Boating
19-Sport Fishing
36-Commercial Fishing
2-Oyster
42-Misc.
67-Hunting
25-MGB
1-WMA

REGION 9

TOTAL CASES-175

ENFORCEMENT-168

OTHER -7

13-Boating

4-Angling W/O A License

2-Fish W/O Resident Pole License

3-Take Or Sell Comm. Fish or Bait Species W/O Comm. License

2-Take Commercial Fish W/O Commercial Gear License

5-Take Or Possess Commercial Fish W/O Vessel License

1-Leave Nets Unattended

1-Blocking Passage Of Fish

1-Failure to Mark/Tag Nets

10-Posses Or Sell Undersized Crabs

1-Take/Possess Undersized Black Drum Commercial

2-Take Bowfin With Nets Closed Season

1-Sell Undersized Crabs

1-Possess Red Drum Illegally

7-Failure To Have Written Permission

2-Unlawfully Take Oysters From State Water Bottom

3-Taking Oysters From Unapproved Areas

4-Unlawfully Take Oysters Off A Private Lease

2-Harvest Oysters W/O Oyster Harvester License

3-Hunting W/O Resident License

5-Hunting From Moving Vehicle And/Or Aircraft

6-Hunting With Unplugged Gun Or Silencer

4-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

REGION 9 CONT'D

- 6-Hunt From Public Road Or Road Right-Of-Way
- 1-Possession Of Buckshot During Closed Deer Season
- 2-Hunt MGB W/O State Stamp
- 5-Take Rabbits By Mashing Weeds
- 2-Hunt W/O Resident Big Game License
- 3-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light
- 2-Hunt Deer Illegal Methods
- 1-Hunt Or Take Deer Illegally From A Boat Or While Swimming
- 13-Hunt Or Take Illegal Deer Open Season
- 3-Possess Over Limit Of Deer Or Bear
- 1-Buying Or Selling Deer Or Meat
- 6-Possession Of Illegally Taken Deer Or Bear
- 1-Field Possession Of Deer Meat W/O Tag
- 6-Hunt Raccoons Or Opossums Illegally
- 1-Take Or Possess Bobcats Illegally
- 3-Not Abiding By Rules And Regulations On WMA
- 2-Hunting Ducks Or Geese W/O Federal Stamp
- 6-Hunting MGB Illegal Hours
- 2-Hunting MGB Over Baited Area
- 3-Hunting MGB From Moving Motorboat
- 2-Rallying MGB
- 1-Wanton Waste Of MGB
- 8-Using Lead Shot In Area Designated As Steel Shot Only
- 1-Hunting Ducks Closed Season
- 4-Possess Over Limit Of Ducks

REGION 9 CONT'D

2-Criminal Trespass

1-Illegal Spotlighting From Public Road

1-Other Than Wildlife And Fisheries

1-Possession of Firearm of Convicted Felon - Certain Felonies

2-Violation of Sanitary Code-Chapter 9

CONFISCATIONS:

14 deer, 1 bobcat, 38 boxes crabs, 20 rabbits, 13 sacks oysters,
49 ducks, 3 coots, 13 choupic, 1 red drum, 1 black drum,
1 hunting/fishing license, 1 commercial license, 1 big game
license, 200 ft. gill net, 1 dredge, 2 batteries, 3 spotlights,
4 scopes, 22 weapons, 3 boats, a variety of shells

GRAND TOTAL OF EACH CATEGORY FOR REGION 9

13-Boating

34-Fishing

18-Oysters

71-Hunting

29-General Migratory

7-Misc.

3-WMA

OYSTER STRIKE FORCE

GRAND TOTAL-45

5-Boating

1-Angle W/O Resident License

1-Angle W/O Saltwater License

1-Possess Undersize Red Drum

OYSTER STRIKE FORCE CONT'D

- 2-Theft Of Crabs From Legal Crab Traps
- 6-Fail To Have Written Permission
- 4-Take Oysters From Unapproved Area
- 2-Take Oysters From Unleased State Water Bottom
- 3-Fail To Comply With Health Department Requirement
- 3-Theft Of Oysters From Private Lease
- 1-No Gear License
- 2-No Vessel License
- 2-Take Oysters W/O Oyster Harvesters License
- 3-No Commercial Fishermans License
- 2-Hunt W/O Resident License
- 1-Hunt Migratory Waterfowl W/O State Stamp
- 2-Hunt/Take Migratory Waterfowl With Lead Shot
- 2-Take/Possess Over Limit Ducks
- 1-Illegal Possession Of Marijuana
- 1-Possession Of Drug Paraphanalia

CONFISCATIONS:

34 sacks of oysters, 1 crab box, 1 red fish, 1 duck, 1 bag of *marijuana* &
1 marijuana cigarette.

SPECIAL STRIKE FORCE

TOTAL CASES-63

- 2-Boating
- 2-Angling W/O A License
- 1-Take Illegal Size black Bass
- 1-Fail To Have Commercial License In Possession

SPECIAL STRIKE FORCE CONT'D

- 2-Take Or Possess Commercial Fish W/O Vessel License
- 5-Possess Or Sell Undersized Crabs
- 1-Hunting W/O Resident License
- 12-Hunting From Moving Vehicle And/Or Aircraft
 - 1-Hunt From Public Road Or Road Right-Of-Way
 - 4-Hunt Deer Closed Area
 - 9-Hunt Or Take Deer Or Bear Closed Season
 - 3-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light
- 10-Hunt Or Take Deer From Public Road
 - 2-Hunting MGB Illegal Hours
 - 1-Using Lead Shot In Area Designated As Steel Shot Only
 - 2-Theft Of State Property
 - 1-Littering
 - 2-Other Than Wildlife And Fisheries
 - 2-Flight From An Officer

CONFISCATIONS:

4 ducks, 2 bass, 1,500 lbs. of crabs, 5 boats, 3 rifles, 1 shotgun
2 pistols

Page (19)

S.W.E.P.

RIPTIDE AND DELTATIDE

188 HOURS RUNNING TIME

21 BOATS CHECKED

TOTAL CASES-8

2-Fishing Without a Commercial License

2-Fishing Without a Gear License

2-Fishing Without a Vessel License

2-Fishing Without Oyster Harvester's License

CONFISCATIONS:

10,000 feet of gill net, 990 lbs. of shrimp which sold for \$1237.50.

Page (20)

TOTAL CASES ENFORCEMENT-1072

TOTAL CASES OTHER DIV. - 97

TOTAL CASES OSFORCE - 45

TOTAL CASES SSFORCE - 63

TOTAL CASES SWEP - 8

GRAND TOTAL - 1285

#14

ENFORCEMENT CASE REPORT

JANUARY, 1993

ENFORCEMENT CASE REPORT-JANUARY, 1993

REGION I

TOTAL CASES-40

ENFORCEMENT-40

OTHER -0

3-Boating

4-Angling W/O A License

7-Fish W/O Resident Pole License

1-Use Gear W/O Recreational Gear License

1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

4-Transport W/O Required License

1-Hunting W/O Resident License

2-Hunting From Moving Vehicle And/Or Aircraft

2-Hunting W/Unplugged Gun Or Silencer

1-Hunt From Public Road Or Road Right-Of-Way

3-Hunt MGB W/O State Stamp

2-Hunt Or Take Deer Or Bear Closed Season

2-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light

2-Hunt Or Take Deer or Bear With Illegal Weapon

2-Possession Of Illegally Taken Deer Or Bear

1-Fail To Wear Hunters Orange

2-Hunting Ducks Or Geese W/O Federal Stamp

CONFISCATIONS:

1 doe deer

GRAND TOTAL OF EACH CATEGORY FOR REGION I

3-Boating

17-Fishing

20-Hunting

Page (2)

REGION 2

TOTAL CASES-72

ENFORCEMENT-72

OTHER -0

12-Boating

6-Angling W/O A License

7-Fish W/O Resident Pole License

1-Use Gear W/O Recreational Gear License

1-Take Illegal Size Black Bass

2-Not Abiding By Commission Rules and Regulations
Comm. Finfish

5-Hunting W/O Resident License

1-Possess Wild Birds Or Wild Quadrupeds W/O A License

1-Bow Hunt W/O Bow License

2-Hunting From Moving Vehicle And/Or Aircraft

2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or
With Artificial Light

2-Hunt From Public Road Or Road Right-Of-Way

1-Hunt MGB W/O State Stamp

1-Hunt W/O Resident Big Game License

3-Hunt Or Take Illegal Deer Open Season

1-Fail To Wear Hunters Orange

1-Hunt Turkey Closed Season

2-Hunting Ducks Or Geese W/O Federal Stamp

1-Hunting MGB With Unplugged Gun

1-Hunting MGB Illegal Hours

3-Transport Completely Dressed MGB

4-Using Lead Shot In Area Designated As Steel Shot Only

Page (3)

REGION 2 CONT'D

- 1-Possess Over Limit Of Ducks
- 1-Hunt MGB Without State Stamp
- 1-Not Abiding By Rules and Regulations On WMA
- 1-Criminal Trespass
- 2-Littering
- 5-Other Than Wildlife and Fisheries
- 1-Flight From An Officer

CONFISCATIONS:

- 1 deer, 4 duck breasts, 6 lead shot, 1 dressed whole duck
- 2 hooded merganser

GRAND TOTAL OF EACH CATEGORY FOR REGION 2

- 12-Boating
- 17-Fishing
- 20-Hunting
- 23-Other

REGION 3

TOTAL CASES-64

ENFORCEMENT-48

OTHER -16

- 7-Boating
- 7-Angling W/O A License
- 2-Fish W/O Resident Pole License
- 1-Use Gear W/O Recreational Gear License
- 1-Take Illegal Size Black Bass
- 1-Take/Possess Spoonbill Catfish
- 1-Take Or Sell Commercial Fish Or Bait Species W/O Comm. License
- 2-Take Commercial Fish W/O Comm. Gear License

REGION 3 CONT'D

- 5-Hunting From Moving Vehicle And/Or Aircraft
- 2-Illegal Possession of Wild Quadrupeds, Birds, or Parts Thereof
- 4-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or With Artificial Light.
- 3-Hunt From Public Road Or Road Right-of-Way
- 3-Hunt Or Take Deer From Public Road
- 1-Hunt Or Take Illegal Deer Open Season
- 2-Hunting MGB Illegal Hours
- 1-Hunting MGB Over Baited Area
- 1-Hunting MGB With Illegal Firearm
- 1-Field Possession Of Freshly Killed MGB Closed Season
- 3-Using Lead Shot In Area Designated As Steel Shot Only
- 1-Possess Over Limit of Ducks
- 1-Taking Or Possession of Other Non-Game Birds - No Season
- 12-Not Abiding By Rules and Regulations on WMA
- 1-Illegal Spotlighting From Public Road
- 1-Other Than Wildlife and Fisheries

CONFISCATIONS:

11 ducks, 2 rabbits, 1 deer, 1 redtail hawk, 1 spoonbill catfish,
2 hoop nets, 150 ft. nylon gill net, 150 ft. mono gill net, 13 lead
shot, 3 lbs. of corn

GRAND TOTAL OF EACH CATEGORY FOR REGION 3

- 15-Fishing
- 40-Hunting
- 7-Boating
- 2-Other

REGION 4

TOTAL CASES-87

ENFORCEMENT-78

OTHER -9

4-Boating
3-Angling W/O A License
1-Fish W/O Resident Pole License
1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealers License
7-Hunting W/O Resident License
10-Hunting From Moving Vehicle And/Or Aircraft
3-Hunting With Unplugged Gun Or Silencer
3-Possess Firearms While Frogging
9-Hunt From Public Road Or Road Right-Of-Way
3-Hunt MGB W/O State Stamp
5-Hunt W/O Resident Big Game License
2-Hunt Deer Closed Area
1-Hunt Or Take Deer Or Bear Closed Season
8-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light
5-Hunt Or Take Deer From Public Road
2-Hunt Or Take Illegal Deer Open Season
2-Hunt Or Take Deer Or Bear With Illegal Weapon
2-Possession Of Illegally Taken Deer Or Bear
3-Hunting Ducks Or Geese W/O Federal Stamp
1-Hunting MGB With Unplugged Gun
3-Hunting MGB Illegal Hours
2-Using Lead Shot In Area Designated As Steel Shot Only
1-Possess Over Limit of Ducks

Page (6)

REGION 4 CONT'D

2-Not Abiding By Rules And Regulations On WMA

1-Other Than Wildlife And Fisheries

3-Discharge Firearm From Public Road

CONFISCATIONS:

4 deer, 3 wood ducks, 1 pistol, 7 rifles, 1 shotgun, 1 spotlight,

7 lead shot shells

GRAND TOTAL OF EACH CATEGORY FOR REGION 4

5-Fishing

62-Hunting

4-Boating

10-Federal

6-WMA

REGION 5

TOTAL CASES-177

ENFORCEMENT-173

OTHER -4

6-Boating

2-Angling W/O A License

2-Take Or Possess Game Fish Illegally

1-Take Or Sell Comm. Fish Or Bait Species W/O Comm. License

1-Take Commercial Fish W/O Commercial Gear License

1-Take Or Possess Commercial Fish W/O Vessel License

1-Fail To Report Commercial Fisheries Data

6-Hunting W/O Resident License

39-Hunting From Moving Vehicle And/Or Aircraft

1-Hunting With Unplugged Gun Or Silencer

REGION 5 CONT'D

48-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or With Artificial Light

32-Hunt From Public Road Or Road Right-Of-Way

1-Possession Of Buckshot During Closed Deer Season

2-Possession Of Illegally Taken Deer Or Bear

1-Fail To Wear Hunters Orange

3-Hunt Raccoons Or Opossum Illegally

1-Possession Of Live Alligators W/O Permit -

1-Hunting MGB With Unplugged Gun

2-Hunting MGB Illegal Hours

2-Hunting Ducks Or Geese W/O Federal Stamp

2-Hunting MGB From Moving Motorboat

3-Possess Untagged MGB

4-Wanton Waste of MGB

2-Using Lead Shot In Area Designated As Steel Shot Only

10-Possess Over Limit of Ducks

1-Taking Or Possession of Other Non-Game Birds, No Season

2-Discharge Firearm From Public Road

CONFISCATIONS:

64 ducks, 19 rabbits, 9 geese, 12 guns, 1 deer, 1 raccoon, 465 lbs.
of shrimp sold for \$443.50, 2 trawl doors

GRAND TOTAL OF EACH CATEGORY FOR REGION 5

6-Boating

8-Fishing

163-Hunting

Page (8)

REGION 6

TOTAL CASES-105

ENFORCEMENT-93

OTHER -12

13-Boating

3-Angling W/O A License

2-Fish W/O Resident Pole License

2-Take/Possess Undersize Commercial Finfish

6-Hunt W/O Resident License

13-Hunting From Moving Vehicle

3-Hunting With Unplugged Gun

12-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

13-Hunt From Public Road

3-Take Rabbits Illegal Methods

1-Hunt W/O Resident Big Game License

1-Possession Of Gun While Bow Hunting For Deer

1-Hunt Deer Closed Area

10-Hunt Or Take Deer or Bear Illegal Hours

2-Hunt Or Take Illegal Deer Open Season

1-Fail To Wear Hunters Orange

4-Hunt/Trap On DMap Lands W/O Permit From Owner/Lessee

5-Hunt Raccoons Or Opossums Illegally

1-Operating A Hunting Preserve Illegal

1-Hunting Ducks Or Geese W/O Federal Stamp

1-Hunting MGB Illegal Hours

3-Using Lead Shot In Area Designated As Steel Shot Only

1-Possess Over Limit Of Ducks

REGION 6 CONT'D

3-Not Abiding By Rules And Regulations On WMA

CONFISCATIONS:

3 wood ducks, 1 button buck deer, 1 doe deer, 9 rabbits, 5 ducks,
1 rifle, 5 shotguns, 3 headlights, 2 spotlights, 1 shell belt,
200 lbs. of catfish donated to charity, 2 hunting licenses

GRAND TOTAL OF EACH CATEGORY FOR REGION 6

13-Boating

7-Fishing

85-Hunting

REGION 7

TOTAL CASES-248

ENFORCEMENT-232

OTHER -16

8-Boating

30-Angling W/O A License

9-Fish W/O Resident Pole License

1-Angling W/O Saltwater License

4-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

2-Possess Crabs In Berry Stage

2-Possess Or Sell Undersized Crabs

1-Buying Or Selling For Resale Untagged Oysters

13-Hunting W/O Resident License

2-Hunting W/O Non-Resident License

35-Hunting From Moving Vehicle And/Or Aircraft

5-Hunting With Unplugged Gun Or Silencer

26-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or
With Artificial Light

REGION 7 CONT'D

- 25-Hunt From Public Road Or Road Right-Of-Way
 - 3-Hunt MGB W/O State Stamp
 - 2-Hunt W/O Resident Big Game License
 - 1-Hunt Or Take Deer Or Bear Closed Season
- 10-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light
 - 9-Hunt Or Take Deer From Public Road
 - 4-Hunt Or Take Illegal Deer Open Season
 - 1-Hunt Or Take Deer Or Bear With Illegal Weapon
 - 2-Possess Over Limit of Deer Or Bear
 - 1-Possession Of Untagged Deer Or Bear
 - 2-Fail To Wear Hunters Orange
 - 1-Dealing In Alligator Parts W/O Proper Parts License
 - 3-Hunting Ducks Or Geese W/O Federal Stamp
 - 4-Hunting MGB Illegal Hours
 - 4-Possess Untagged MGB
 - 1-Possession Over The Two-Day Limit Of MGB
 - 3-Using Lead Shot In Area Designated As Steel Shot Only
 - 6-Not Abiding By Rules And Regulations On WMA
 - 5-Illegal Spotlighting From Public Road
 - 3-Littering
- 17-Other Than Wildlife And Fisheries
 - 3-Discharge Firearm From Public Road

CONFISCATIONS:

5 shotguns, 8 rifles, 1 spotlight, 3 deer, 30 ducks, 5 crates of crabs, 98 berry crabs

Page (11)

REGION 7 CONT'D

GRAND TOTAL OF EACH CATEGORY FOR REGION 7

8-Boating
49-Fishing
142-Hunting
15-Federal
34-Other

REGION 8

TOTAL CASES-201

ENFORCEMENT-168

OTHER - 33

9-Boating
5-Angling W/O A License
1-Angling W/O Saltwater License
2-Possess Over Limit of Red Drum
3-Take Or Possess Undersized Red Drum 16" Minimum
1-Take Or Possess Undersized Spotted Sea Trout
4-Take Or Possess Undersized Black Drum Commission Action
3-Take Or Possess Over Limit Black Drum Commission Action
6-Take Or Sell Commercial Fish Or Bait Species W/O Comm. License
7-Take Commercial Fish W/O Commercial Gear License
8-Take Or Possess Commercial Fish W/O Vessel License
2-Transport W/O Required License
1-Leave Nets Unattended
5-Use Crab Traps W/O Required Markings
1-Take/Possess Oysters W/O Oyster Harvester License
3-Failure To Mark/Tag Nets

REGION 8 CONT'D

- 1-Take/Possess Undersized Black Drum Commercial
- 1-Theft Of Crab Trap
- 1-Possess Or Sell Undersized Crabs
- 2-Possession Of Untagged Oysters
- 6-Hunting W/O Resident License
- 5-Possess Wild Birds Or Wild Quadrupeds W/O A License
- 7-Failure To Abide By Commission Rules
- 9-Hunting From Moving Vehicle And/Or Aircraft
- 5-Hunting With Unplugged Gun Or Silencer
- 18-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours Or With Artificial Light
- 8-Hunt From Public Road Or Road Right-Of-Way
- 3-Hunt MGB W/O State Stamp
- 1-Driving On Levees
- 1-Fail To Wear Hunters Orange
- 5-Hunting Ducks Or Geese W/O Federal Stamp
- 4-Hunting With Unsigned Duck Stamp
- 2-Hunting MGB Illegal Hours
- 1-Possession Over The Two-Day Limit of MGB
- 2-Wanton Waste Of MGB
- 5-Using Lead Shot In Area Designated As Steel Shot Only
- 6-Possess Over Limit of Ducks
- 4-Taking Or Possession of Other Non-Game Birds - No Season
- 1-Not Abiding By Rules and Regulations on WMA
- 14-Criminal Trespass On State Property
- 9-Criminal Trespass

REGION 8 CONT'D

- 2-Illegal Spotlighting From Public Road
- 1-Littering
- 4-Other Than Wildlife And Fisheries
- 5-Trespass On Property After Forbidden
- 2-Possess/Take Undersize Federal Controlled Fish
- 2-Possess/Take Over Limit Federal Controlled Fish
- 2-Take Federal Controlled Fish in Closed Season
- 1-Driving Without Operators License

CONFISCATIONS:

2 flashlights, 2 headlights, 1 Q-Beam, 3 ice chests, 7 crab traps,
1 crab trap tag, 13 guns, 32 gun shells, 4 gun shell boxes,
1 navigational chart, 2 duck stamps, 600 ft. of gill nets,
1 company check in the amount of \$171.60 seized, 5 speckled trout,
21 red drum, 45 black drum, 1 box crabs, 18 sacks oysters returned
to area, 15 sacks oysters destroyed, 22 rabbits, 1 doe deer,
36 ducks, 2 terns destroyed

GRAND TOTAL OF EACH CATEGORY FOR REGION 8

- 9-Boating
- 19-Sport Fishing
- 36-Commercial Fishing
- 2-Oyster
- 42-Misc.
- 67-Hunting
- 25-MGB
- 1-WMA

REGION 9

TOTAL CASES-175

ENFORCEMENT-168

OTHER -7

13-Boating

4-Angling W/O A License

2-Fish W/O Resident Pole License

3-Take Or Sell Comm. Fish or Bait Species W/O Comm. License

2-Take Commercial Fish W/O Commercial Gear License

5-Take Or Possess Commercial Fish W/O Vessel License

1-Leave Nets Unattended

1-Blocking Passage Of Fish

1-Failure to Mark/Tag Nets

10-Posses Or Sell Undersized Crabs

1-Take/Possess Undersized Black Drum Commercial

2-Take Bowfin With Nets Closed Season

1-Sell Undersized Crabs

1-Possess Red Drum Illegally

7-Failure To Have Written Permission

2-Unlawfully Take Oysters From State Water Bottom

3-Taking Oysters From Unapproved Areas

4-Unlawfully Take Oysters Off A Private Lease

2-Harvest Oysters W/O Oyster Harvester License

3-Hunting W/O Resident License

5-Hunting From Moving Vehicle And/Or Aircraft

6-Hunting With Unplugged Gun Or Silencer

4-Hunt Wild Quadrapeds And/Or Wild Birds Illegal Hours

REGION 9 CONT'D

- 6-Hunt From Public Road Or Road Right-Of-Way
- 1-Possession Of Buckshot During Closed Deer Season
- 2-Hunt MGB W/O State Stamp
- 5-Take Rabbits By Mashing Weeds
- 2-Hunt W/O Resident Big Game License
- 3-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light
- 2-Hunt Deer Illegal Methods
- 1-Hunt Or Take Deer Illegally From A Boat Or While Swimming
- 13-Hunt Or Take Illegal Deer Open Season
- 3-Possess Over Limit Of Deer Or Bear
- 1-Buying Or Selling Deer Or Meat
- 6-Possession Of Illegally Taken Deer Or Bear
- 1-Field Possession Of Deer Meat W/O Tag
- 6-Hunt Raccoons Or Opossums Illegally
- 1-Take Or Possess Bobcats Illegally
- 3-Not Abiding By Rules And Regulations On WMA
- 2-Hunting Ducks Or Geese W/O Federal Stamp
- 6-Hunting MGB Illegal Hours
- 2-Hunting MGB Over Baited Area
- 3-Hunting MGB From Moving Motorboat
- 2-Rallying MGB
- 1-Wanton Waste Of MGB
- 8-Using Lead Shot In Area Designated As Steel Shot Only
- 1-Hunting Ducks Closed Season
- 4-Possess Over Limit Of Ducks

REGION 9 CONT'D

2-Criminal Trespass

1-Illegal Spotlighting From Public Road

1-Other Than Wildlife And Fisheries

1-Possession of Firearm of Convicted Felon - Certain Felonies

2-Violation of Sanitary Code-Chapter 9

CONFISCATIONS:

14 deer, 1 bobcat, 38 boxes crabs, 20 rabbits, 13 sacks oysters,
49 ducks, 3 coots, 13 choupic, 1 red drum, 1 black drum,
1 hunting/fishing license, 1 commercial license, 1 big game
license, 200 ft. gill net, 1 dredge, 2 batteries, 3 spotlights,
4 scopes, 22 weapons, 3 boats, a variety of shells

GRAND TOTAL OF EACH CATEGORY FOR REGION 9

13-Boating

34-Fishing

18-Oysters

71-Hunting

29-General Migratory

7-Misc.

3-WMA

OYSTER STRIKE FORCE

GRAND TOTAL-45

5-Boating

1-Angle W/O Resident License

1-Angle W/O Saltwater License

1-Possess Undersize Red Drum

OYSTER STRIKE FORCE CONT'D

- 2-Theft Of Crabs From Legal Crab Traps
- 6-Fail To Have Written Permission
- 4-Take Oysters From Unapproved Area
- 2-Take Oysters From Unleased State Water Bottom
- 3-Fail To Comply With Health Department Requirement
- 3-Theft Of Oysters From Private Lease
- 1-No Gear License
- 2-No Vessel License
- 2-Take Oysters W/O Oyster Harvesters License
- 3-No Commercial Fishermans License
- 2-Hunt W/O Resident License
- 1-Hunt Migratory Waterfowl W/O State Stamp
- 2-Hunt/Take Migratory Waterfowl With Lead Shot
- 2-Take/Possess Over Limit Ducks
- 1-Illegal Possession Of Marijuana
- 1-Possession Of Drug Paraphanalia

CONFISCATIONS:

34 sacks of oysters, 1 crab box, 1 red fish, 1 duck, 1 bag of *marijuana* +
1 marijuana cigarette.

SPECIAL STRIKE FORCE

TOTAL CASES-63

- 2-Boating
- 2-Angling W/O A License
- 1-Take Illegal Size black Bass
- 1-Fail To Have Commercial License In Possession

SPECIAL STRIKE FORCE CONT'D

- 2-Take Or Possess Commercial Fish W/O Vessel License
- 5-Possess Or Sell Undersized Crabs
- 1-Hunting W/O Resident License
- 12-Hunting From Moving Vehicle And/Or Aircraft
 - 1-Hunt From Public Road Or Road Right-Of-Way
 - 4-Hunt Deer Closed Area
 - 9-Hunt Or Take Deer Or Bear Closed Season
 - 3-Hunt Or Take Deer Or Bear Illegal Hours Or With Artificial Light
- 10-Hunt Or Take Deer From Public Road
 - 2-Hunting MGB Illegal Hours
 - 1-Using Lead Shot In Area Designated As Steel Shot Only
- 2-Theft Of State Property
 - 1-Littering
 - 2-Other Than Wildlife And Fisheries
 - 2-Flight From An Officer

CONFISCATIONS:

4 ducks, 2 bass, 1,500 lbs. of crabs, 5 boats, 3 rifles, 1 shotgun
2 pistols

Page (19)

S.W.E.P.

RIPTIDE AND DELTATIDE

188 HOURS RUNNING TIME

21 BOATS CHECKED

TOTAL CASES-8

2-Fishing Without a Commercial License

2-Fishing Without a Gear License

2-Fishing Without a Vessel License

2-Fishing Without Oyster Harvester's License

CONFISCATIONS:

10,000 feet of gill net, 990 lbs. of shrimp which sold for \$1237.50.

Page (20)

TOTAL CASES ENFORCEMENT-1072

TOTAL CASES OTHER DIV. - 97

TOTAL CASES OSFORCE - 45

TOTAL CASES SSFORCE - 63

TOTAL CASES SWEP - 8

GRAND TOTAL - 1285

OPERATION GAME THIEF

**ACTIVITY REPORT
NOVEMBER 1992-JANUARY 1993**

JANUARY 28, 1993

CASES FOR REWARD CONSIDERATION

92-93

JULY 7, 1992
1 subject arrested
Take Deer During Closed Season
Allen Parish-1 citation issued
Reward Recommendation-\$300
Seizure: deer meat

92-114

OCTOBER 27, 1992
1 subject arrested
Leave Gill Nets Unattended
No Vessel License
Jefferson Parish-2 citations issued
Reward Recommendation-\$100
Seizure: 5 gill nets

92-113

OCTOBER 28, 1992
2 subjects arrested
Fail To Comply With Shark Permit Rules
Jefferson Parish-2 citations issued
Reward Recommendation-\$100
Seizure: 1 shark

92-120

NOVEMBER 9, 1992
1 subject arrested
Take Illegal Deer Open Season
Ouachita Parish-1 citation issued
Reward Recommendation-\$300
Seizure: 1 rifle, 1 button buck

92-121

NOVEMBER 9, 1992
1 subject arrested
Hunt From Public Road
Hunt Deer Illegal Hours (at night)
Take Spotted Fawn
Hunt From Moving Vehicle
Natchitoches Parish-4 citations issued
Reward Recommendation-\$300
Seizure: 1 rifle, 1 spotted fawn

92-123

NOVEMBER 10, 1992
1 subject arrested
Take Undersized Red-Drum
Take Undersized Black-Drum
Jefferson Parish-2 citations issued
Reward Recommendation-\$100
Seizure: 4 red drum, 1 black drum

92-459-01

NOVEMBER 28, 1992
3 subjects arrested
Take Illegal Deer Open Season
LaSalle Parish-3 citations issued
Reward Recommendation-\$300
Seizure: 1 doe deer

92-711-01

DECEMBER 5, 1992
2 subjects arrested
Possession Of Turkey Closed Season
Take Turkey During Closed Season
No Basic Hunting License
No Big Game License
Criminal Trespass
St. Helena Parish-5 citations issued
Reward Recommendation-\$300
Seizure: 1 hen turkey

92-804-1

DECEMBER 15, 1992
2 subjects arrested
Hunt Wild Quadrapeds Illegal Hours
Illegal Firearms Discharge
Possess Wild Quadrapeds W/O License
Plaquemines Parish-5 citations issued
Reward Recommendation-\$100
Seizure: 4 rabbits, 2 shotguns

92-832-1

DECEMBER 29, 1992
5 subjects arrested
Hunt Wild Quadrupeds Illegal Hours
Hunt From A Moving Vehicle
Orleans Parish-10 citations issued
Reward Recommendation-\$100
Seizure: 10 rabbits, 2 shotguns

93-001

JANUARY 1, 1993
1 subject arrested
Overlimit Of Ducks (field possession)
Hunt MGB With Unplugged Gun
Using Lead Shot In Steel Shot Zone
Acadia Parish-3 citations issued
Reward Recommendation-\$100 200
Seizure: 5 ducks, 1 goose, and 16 lead
shot shells

93-007

JANUARY 12, 1993
3 subjects arrested
Hunt Deer Illegal Hours
Hunt From A Moving Vehicle
Hunt From A Public Road
Tensas Parish-9 citations issued
Reward Recommendation-\$300
Seizure: 3 rifles

SUMMARY

BIG GAME - 6

SMALL GAME - 3

FISH - 3

12

Subjects Arrested-23

Citations issued -47

Total Rewards Paid 2500.

Total Rewards for 1992 = 3800+ 2500 = 6300.

Subjects arrested 1992 total = 47

Citations issued 1992 total = 80

January 1, 1992 through January ,1993

Total calls investigated = 146-OGT, 2707-800, 2853 total.

Total cases on which reward was paid=26.

CASE BREAKDOWN

BIG GAME - 8

SMALL GAME- 6

FISH - 7

ALLIGATOR - 2

SEAFOOD - 2

PERMIT - 1

TOTAL 26

OGT July 1984 through January, 1993.

Total Calls Investigated-1726

Total Cases On Which Reward Was Paid-315

Total Subjects Arrested-692

Total Rewards Paid=80,480+this meeting

6300 = 86,780.

Page (5)

CASE BREAKDOWN

BIG GAME - 164

SMALL GAME - 73

OTHER - 120

357 less 42 declined= 315

COMPARISON OF 1991-92

1991

Total Calls - 139

Rewards Paid - 42

Declines - 1

Subjects arrested- 81

Citations issued -131

Reward Amount -\$9500

1992

146

26

0

47

80

6300

CASE BREAKDOWN

1991

Big Game - 11

Small Game - 4

Other - 27

42

1992

8

6

12

26

R E S O L U T I O N

LOUISIANA WILDLIFE AGENTS ASSOCIATION

January 27, 1993

WHEREAS, At the January Commission Meeting of the Louisiana Department of Wildlife and Fisheries a majority vote of Commission Members successfully passed a resolution supporting the prosecution of certain wildlife violations; and


WHEREAS, This majority vote recognized the time, and effort Enforcement Agents of the Department put forth in the apprehension of game violators; and

WHEREAS, Compliance to fish and wildlife regulations can only be accomplished when all citizens, sportsmen's organizations, judicial representatives and those entrusted with custodial responsibilities support vigorous prosecution of all violators; and

WHEREAS, The majority of Commission Members recognized their responsibility of Chief Custodians and True Sportsmen by taking the lead role in advocating Justice to violators of fish and wildlife regulations;

NOW THEREFORE, be it resolved, that the L.W.A.A. expresses its sincere gratitude to the Louisiana Wildlife and Fisheries Commission for demonstrating the courage and support necessary to fulfill the term Justice; and

BE IT FURTHER RESOLVED, that copies of this unanimously adopted Resolution be sent to all recognized affiliates of this Association.



Ed Barnes, President
L.W.A.A.

FEBRUARY 4, 1993

CONFIDENTIAL

FISHING YEAR	COMMERCIAL SPOTTED SEATROUT LANDINGS											
	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST
92-93	59,266	109,011	135,130	171,169								
91-92	(revised) 25,922	(revised) 47,403	(revised) 105,759	(prelim) 139,433	144,822	57,710	94,215	176,625	3,128			
90-91	42,663	54,724	64,693	158,523	243,771	83,986	59,778	121,674	170,636	121,884	141,483	7,592
89-90	183,277	132,166	146,300	325,410	75,445	76,145	67,441	92,265	26,026	0	767	0
88-89	61,227	123,541	141,184	302,241	316,866	178,001	146,669	59,173	560	447	2	7
87-88	58,017	74,114	90,913	87,988	249,086	143,565	98,287	196,722	64,373	12,717	34,919	5,546
86-87	78,603	158,250	157,276	233,756	204,314	110,792	126,569	245,782	244,144	191,870	217,832	149,539
85-86	15,440	66,576	88,509	214,576	219,796	68,111	120,639	246,287	254,854	191,966	160,520	87,982
CUMULATIVE THROUGH MONTH												
92-93	59,266	168,277	303,407	474,576								
91-92	(revised) 25,922	(revised) 73,325	(revised) 179,084	(prelim) 318,517	463,339	521,049	615,264	791,889	795,017			
90-91	42,663	97,387	162,080	320,603	564,374	648,360	708,138	829,812	1,000,448	1,122,332	1,263,815	1,271,407
89-90	183,277	315,443	461,743	787,153	862,598	938,743	1,006,184	1,098,449	1,124,475	1,124,475	1,125,242	1,125,242
88-89	61,227	184,768	325,952	628,193	945,059	1,123,060	1,269,729	1,328,902	1,329,462	1,329,909	1,329,911	1,329,918
87-88	58,017	132,131	223,044	311,032	560,118	703,683	801,970	998,692	1,063,065	1,075,782	1,110,701	1,116,247
86-87	78,603	236,853	394,129	627,885	832,199	942,991	1,069,560	1,315,342	1,559,486	1,751,356	1,969,188	2,118,727
85-86	15,440	82,016	170,525	385,101	604,897	673,008	793,647	1,039,934	1,294,788	1,486,754	1,647,274	1,735,256

December harvest was in line with harvests the prior months. We continue to project a closing date for the season sometime during April. I expect the actual date will be more precisely estimated next month, and especially later in the month as landings for March are reported. I expect to have a resolution next month for the Commission to allow the Secretary to close when data indicates that the quota is expected to be met.

FEBRUARY 4, 1993

CONFIDENTIAL

FISHING YEAR	COMMERCIAL SPOTTED SEATROUT LANDINGS											
	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST
92-93	59,266	109,011	135,130	171,169								
91-92	(revised) 25,922	(revised) 47,403	(revised) 105,759	(prelim) 139,433	144,822	57,710	94,215	176,625	3,128			
90-91	42,663	54,724	64,693	158,523	243,771	83,986	59,778	121,674	170,636	121,884	141,483	7,592
89-90	183,277	132,166	146,300	325,410	75,445	76,145	67,441	92,265	26,026	0	767	0
88-89	61,227	123,541	141,184	302,241	316,866	178,001	146,669	59,173	560	447	2	7
87-88	58,017	74,114	90,913	87,988	249,086	143,565	98,287	196,722	64,373	12,717	34,919	5,546
86-87	78,603	158,250	157,276	233,756	204,314	110,792	126,569	245,782	244,144	191,870	217,832	149,539
85-86	15,440	66,576	88,509	214,576	219,796	68,111	120,639	246,287	254,854	191,966	160,520	87,982
CUMULATIVE THROUGH MONTH												
92-93	59,266	168,277	303,407	474,576								
91-92	(revised) 25,922	(revised) 73,325	(revised) 179,084	(prelim) 318,517	463,339	521,049	615,264	791,889	795,017			
90-91	42,663	97,387	162,080	320,603	564,374	648,360	708,138	829,812	1,000,448	1,122,332	1,263,815	1,271,407
89-90	183,277	315,443	461,743	787,153	862,598	938,743	1,006,184	1,098,449	1,124,475	1,124,475	1,125,242	1,125,242
88-89	61,227	184,768	325,952	628,193	945,059	1,123,060	1,269,729	1,328,902	1,329,462	1,329,909	1,329,911	1,329,918
87-88	58,017	132,131	223,044	311,032	560,118	703,683	801,970	998,692	1,063,065	1,075,782	1,110,701	1,116,247
86-87	78,603	236,853	394,129	627,885	832,199	942,991	1,069,560	1,315,342	1,559,486	1,751,356	1,969,188	2,118,727
85-86	15,440	82,016	170,525	385,101	604,897	673,008	793,647	1,039,934	1,294,788	1,486,754	1,647,274	1,735,256

December harvest was in line with harvests the prior months. We continue to project a closing date for the season sometime during April. I expect the actual date will be more precisely estimated next month, and especially later in the month as landings for March are reported. I expect to have a resolution next month for the Commission to allow the Secretary to close when data indicates that the quota is expected to be met.

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

Joe L. Herring
Secretary



CONTACT
(504) 765-2923

93-20

1/29/93

COMMISSION MEETING IN FEBRUARY ANNOUNCED

The Louisiana Wildlife and Fisheries Commission will hold its next regular meeting on Thursday, February 4, 1993, at 10:00 a.m. in the Louisiana Room, Department of Wildlife and Fisheries Headquarters, 2000 Quail Drive, Baton Rouge.

The commission meetings are open to the public. The following issues will be discussed:

1. Roll Call
2. Approval of January 7, 1993 Minutes
3. Aircraft report
4. Ratification of alligator harvest regulations
5. Wild Louisiana Stamp -- information only
6. Notice of Intent for black bass regulations on Caddo Lake
7. Notice of Intent on Toledo Bend Reciprocal Agreement
8. Ratification of special bait dealer's permit
9. Declaration of Emergency and Notice of Intent -- red snapper
10. Declaration of Emergency on Calcasieu oyster limits
11. Red drum report
12. Fossil shell extraction lease - La. Dredging Company
13. Civil restitution and class 1 update
14. Monthly Law Enforcement Report/January
15. Secretary's Report to the Commission
16. Public Comments

January 28, 1993

NEWS RELEASE

APPROVED:  _____

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, February 4, 1993, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

1. Roll Call
2. Approval of January 7, 1993 Minutes
3. Aircraft Report
4. Ratification of Alligator Harvest Regulations
5. Wild Louisiana Stamp - Information Only
6. Notice of Intent for Black Bass Regulations on Caddo Lake
7. Notice of Intent on Toledo Bend Reciprocal Agreement
8. Ratification of Special Bait Dealer's Permit
9. Declaration of Emergency and Notice of Intent - Red Snapper
10. Declaration of Emergency on Calcasieu Oyster Limits
11. Red Drum Report
12. Fossil Shell Extraction Lease - La. Dredging Company
13. Civil Restitution and Class 1 Update
14. Monthly Law Enforcement Report/January
15. Secretary's Report to the Commission
16. Public Comments

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 27, 1993

MEMORANDUM

TO: Chairman and Members of Commission
FROM: Joe L. Herring, Secretary *JLH*
RE: February Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, February 4, 1993, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

The following will be on the agenda:

1. Approval of Minutes of January 7, 1993

LEE CAUBARREAU

2. Aircraft Report
3. Ratification of Alligator Harvest Regulations
4. Wild Louisiana Stamp - Information Only

CORKY PERRET

5. Notice of Intent for Black Bass Regulations on Caddo Lake
6. Notice of Intent on Toledo Bend Reciprocal Agreement
7. Ratification of Special Bait Dealer's Permit
8. Declaration of Emergency and Notice of Intent - Red Snapper
9. Declaration of Emergency on Calcasieu Oyster Limits
10. Red Drum Report

Page 2
Commission Meeting
January 27, 1993

LOUISIANA DREDGING COMPANY

11. Fossil Shell Extraction Lease

WYNNETTE KEES

12. Civil Restitution and Class 1 Update

WINTON VIDRINE

13. Monthly Law Enforcement Report/January

JOE L. HERRING

14. Secretary's Report to the Commission

PUBLIC COMMENTS

JLH:sch

C: Clyde Kimball
Fred Prejean
Lee Caubarreaux
Corky Perret
Don Puckett
John Medica
Division Chiefs

FAX TRANSMITTAL

TO: Karl Turner

FAX# _____

FROM Susan

RE: February Commission Meeting



DATE: 1/28/93

TIME SENT _____

FOR INFORMATION CALL (504) 765-2806

OUR FAX # (504) 765-2607

PAGES TO FOLLOW 2

MID-STATES WOOD PRESERVERS, INC.



P. O. Box 298
SIMSBORO, LOUISIANA 71275
PHONE - (318) 247-3741
FAX - (318) 247-8916

**OUTDOOR
WOOD**

F A C S I M I L E T R A N S M I S S I O N

TO: Joe Henning

FROM: Bert Jones

COMMENTS: _____

Att Susan

OF SHEETS TO BE TRANSMITTED INCLUDING COVER: _____

* IF YOU DO NOT RECEIVE ALL THE PAGES, *
* PLEASE LET US KNOW. *

Joe -

I think we need to put La. Dredging Co
on the Feb 4th agenda -

Bert Jones

State of Louisiana



Joe L. Herwig
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

DREDGING COMPANY

Box 1417

LOUISIANA 70063

To
Susan H.

Susan - Please contact
Brook Jones about
putting this on the
Comm. Agenda

An Equal Opportunity Employer

... Karen Foote, after consultation with Mr. Don Puckett, we respectfully request permission to appear before you and the Commission at the next meeting on February 4, 1991. The purpose of our appearance is to discuss certain conditions of the performance bond relative to the above referenced lease and other related matters.

Your favorable consideration of this request will be greatly appreciated. We await your advise.

Yours very truly,

Louisiana Dredging Company

Richard B. Koen

RBJ/soc

RECEIVED

JAN 28 93

LA WILDLIFE & FISHERIES
OFFICE OF THE SECRETARY

State of Louisiana



Joe L. Herring
Secretary


Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary 

SUBJECT: Commission Meeting Agenda - February 4, 1993


Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

I which to be placed on the agenda
to address the commission and public.


Joseph B. Cormier

REC'D

JAN 20 93

OFFICE OF WILDLIFE
ASSISTANT SECRETARY

Approved by Bert Jones

1/26/93 - sch

FAX TRANSMITTAL

TO: Bert Jones

FAX# _____

FROM Susan Hawkins

RE: February Commission Agenda

Please review and approve the agenda for the February 4th Commission Meeting. Mr. Cormier had requested to address the Commission and public but did not specify a particular subject. Do you want to give him time to speak after the approval of the minutes or how do you want to handle this?

DATE: January 26, 1993

TIME SENT _____

FOR INFORMATION CALL (504) 765- 2806

OUR FAX # (504) 765-2607

PAGES TO FOLLOW 2

MEMORANDUM

TO: Chairman and Members of Commission

FROM: Joe L. Herring, Secretary

RE: February Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, February 4, 1993, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

The following will be on the agenda:

1. Approval of Minutes of January 7, 1993

LEE CAUBARREAUX

2. Aircraft Report
3. Ratification of Alligator Harvest Regulations
4. Wild Louisiana Stamp - Information Only

CORKY PERRET

5. Notice of Intent for Black Bass Regulations on Caddo Lake
6. Notice of Intent on Toledo Bend Reciprocal Agreement
7. Ratification of Special Bait Dealer's Permit
8. Declaration of Emergency and Notice of Intent - Red Snapper
9. Declaration of Emergency on Calcasieu Oyster Limits
10. Red Drum Report

Page 2
Commission Meeting

WYNNETTE KEES

11. Civil Restitution and Class 1 Update

WINTON VIDRINE

12. Monthly Law Enforcement Report/January

JOE L. HERRING

13. Secretary's Report to the Commission

PUBLIC COMMENTS

JLH:sch

C: Clyde Kimball
Fred Prejean
Lee Caubarreaux
Corky Perret
Don Puckett
John Medica
Division Chiefs

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 11, 1993

MEMORANDUM

TO: Johnnie Tarver, Administrator, Fur & Refuge Division
FROM: Susan Hawkins, APA Secretary *Susan*
SUBJECT: Commission Rule for Final Ratification

Just a note to remind you that ratification of the Regulations on the Alligator Harvest Program can be presented to the Commission at its February 4th, 1993 Meeting.

If additional information is needed, please let me know.
Thank you.

sch

cc: James Manning

*Johnnie advised to
add to February
agenda 1/11/93 -
1:30 p.m.*

Sch

JAN 11 1993
FBI
FBI

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

SUBJECT: Commission Meeting Agenda - February 4, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

Wildlife Division

~~1) Notice of Intent of 1993-94 Hunting~~
~~Serious Resident~~
~~Game~~

1) ha. Wild ha. Stamp - Information Only
GARY LESTER

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman ✓
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

REC'D

JAN 15 1993

OFFICE OF WILDLIFE
AND FISHERIES

State of Louisiana



Joe L. Herring
Secretary


Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-Office of Wildlife, and Assistant Secretary-Office of Fisheries

FROM: Joe L. Herring, Secretary 

SUBJECT: Commission Meeting Agenda - February 4, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 11, 1993

MEMORANDUM

TO: Corky Perret, Assistant Secretary, Office of Fisheries
FROM: Susan Hawkins, APA Secretary *Susan*
SUBJECT: Commission Rule for Final Ratification

Just a note to remind you that ratification of the Special Bait Dealer's Permit can be presented to the Commission at its February 4th, 1993 Meeting.

If additional information is needed, please let me know.
Thank you.

sch

cc: John Roussel

State of Louisiana



RECEIVED
JAN 08 1993
FISHERIES SECTION

Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

SUBJECT: Commission Meeting Agenda - February 4, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

Dear Corky & Susan:
Duland Fish Division Agenda
for the February meeting is as
follows:
"Caddo Lake - black bass regulations"

Thurmon
Bennie

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

SUBJECT: Commission Meeting Agenda - February 4, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees ✓
Karl Turner

REC -

JAN 12 93

OFFICE OF THE
ASSISTANT SECRETARY

*Civil Restitution/Class
Dne Update*

*W. Kees
1-12-93*

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

SUBJECT: Commission Meeting Agenda - February 4, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

Enforcement Case Report!

W.V.

REC'D

JAN 13 1993

OFFICE OF WILDLIFE
ASSISTANT SECRETARY

State of Louisiana



REC

JAN 11 1993

INFORMATION &
EDUCATION DIV
ADM.

Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

SUBJECT: Commission Meeting Agenda - February 4, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

1/12/93

I & E has nothing.

Bob Dennie

C: Commissioners
Don Puckett
Bob Dennie ✓
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

REC'D

JAN 13 1993

OFFICE OF WILDLIFE
ASSISTANT SECRETARY

State of Louisiana



Joe L. Herring
Secretary


Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary 

SUBJECT: Commission Meeting Agenda - February 4, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

REC'D

JAN 07 93

OFFICE OF WILDLIFE
ASSISTANT SECRETARY

01/07/93 14:55 504 765 2607

SEAFOOD MKTG.

001/001

State of Louisiana



Joe L. Herring
Secretary

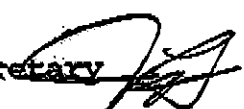
Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary 

SUBJECT: Commission Meeting Agenda - February 4, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

C: Commissioners
Don Buckett
Bob Dennis
Winton Vidrine
Hugh Bateman
Johnnie Farver
Bennie Fontenot
John Roussel
Wynnette Keas
Karl Turner

Nothing to
INCLUDE

State of Louisiana



Joe L. Herring
Secretary


Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

January 7, 1993

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary 

SUBJECT: Commission Meeting Agenda - February 4, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, January 19th any agenda items your office may have for the Thursday, February 4th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, 2000 Quail Drive. This meeting will begin at 10 a.m. on February 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

SHRIMP TASK FORCE MEETING
DECEMBER 15, 1992
LOUISIANA ROOM
DEPARTMENT OF WILDLIFE & FISHERIES

10:10 A.M. - Mr. Kiffe called the meeting to order.

Charles Lapeyer lead the membership in a prayer.

Jerald Horst called the roll, those present were:

Steven Charpentier
Calvin Cheramie
Ricky Cradeur
Dickie Curole
Wayne Estay
Pete Gerica
Darcy Kiffe
Charles Lapeyre
Donald Lirette
Clarence Reuther III
C. J. Kiffe

Absent were:

George Barisich -(He had called and said he would be late)
Tommy Bush
Jimmy Frickey
Tommy Guidry
Ricky Matherne
Jeff Scott
Johnny Scott

We have a quorum

Mr. Kiffe asked if anyone had any changes in the minutes.
The Chairman accepted the minutes as submitted.

Motion - Adopt the Agenda as is.

The agenda was changed. - The discussion on the 100 count law on white shrimp with District Attorneys and Department of Wildlife & Fisheries Regional Enforcement Captains, was switched to the morning schedule due to a conflict of appointments by District Attorney Greenburg.

District Attorneys Doug Greenburg of Terrebonne Parish, Glen Alexander of Cameron Parish and Robert Wyatt of Calcasieu Parish gave their opinions on problems with the 100 count law .

Mr. Greenburg stated that the main objection he had to the 100 count law was the term "possession count on saltwater white shrimp shall average no more than one hundred specimens to the pound". He

also questioned where the right to use a 3 pound sample came from, and he stressed the need for better record keeping by the dealers and the shrimpers.

Mr. Glen Alexander of Cameron Parish - His question of concern was the term "possession". What is considered possession and is it different in each parish? He recommended that we leave the word average in the law. He had a lot of difficulty with section B.2., what is considered an undersized shrimp.

Major Tommy Candies of the Enforcement Division, explanation of possession was - After a drag is made, and the shrimp are placed in the picking box, if the shrimper throws his trawl back out, he is in possession. If he determines he is pulling in small shrimp and moves to another place, he will not be ticketed. Major Candies stated that this is what they ask the Enforcement Agents to do, and that the Agents will give the shrimper the opportunity to grade the shrimp first.

Mr. Robert Wyatt of Calcasieu Parish - Stated he was there mostly to observe and listen.

The Enforcement Division was asked how many agents we have in this state, Colonel Winton Vidrine stated we have 215 at this time, each coastal parish has 3 agents assigned to it and the upland parishes have 2 agents assigned to each parish.

An extensive discussion took place on how to measure shrimp and it was determined that the Department needs to adopt uniformity in enforcement, and find a standardized method of sampling shrimp.

11:45 A. M. Adjourned for Lunch

1:15 P. M. Meeting Reconvened

George Barasich arrived

I. Motion - Donald Lirette

Request that the Department draft legislation creating a definition of 100 count specimens (white shrimp) to the pound, a definitive policy on how sampling will be done and the entities that the count applies to (vessel, harvester, first buyer, etc.) and then return the draft to the Shrimp Task Force, the coastal District Attorneys and the Department of Wildlife & Fisheries Enforcement Division for review.

Motion Seconded - Clarence Reuther III

Motion Passed Unanimously

II. Motion - Donald Lirette

Request that the Shrimp Task Force Chairman, write a letter to

Department of Wildlife & Fisheries, Secretary on enforcement problems concerning inconsistencies in enforcing fishing laws and request that the Department of Wildlife & Fisheries develop statewide enforcement policies for Fisheries.

Motion Seconded - Calvin Charamie

Motion Passed 10 to 1 in favor.

Martha Swan gave a report on legislative and regulatory changes to the Fishermen's Gear Compensation Fund. She passed out a copy of the regulations and a copy of the laws.

III. Motion - Calvin Charamie

Support following changes to Fishermen's Gear Compensation Fund:

1. Elimination of the two (2) claim limit.
2. Make the lease and right-of-way assessment \$1,000 annually each year.
3. Create a map showing reported hangs for public distribution.
4. Create penalty provisions for non-payment of assessments to the Fund.

Motion - Seconded Darcy Kiffe

Motion Passed Unanimously

Mrs. Swan will prepare the requested changes in legislation and submit them to the Task Force for review.

Charles Lapeyre gave his report on licensing:

Darcy Kiffe, Donald Lirette, Ricky Cradeur, Steven Charpentier and Charles Lapayre are members of a subcommittee formed to look into licensing. Even though no meeting took place, Mr. Lapayre talked with each member via phone and with Corky Perret, Nancy Hunter, Major Tommy Candies and Jerald Horst.

Their recommendations follow:

Have the same licensing fee and structure that exist.
and with that you would have the option to buy a shrimp license which would be attached to the boat and it would have the owners name and I.D. or Registration Number on it.
The recommended fee for this license would be around \$100.00.
This license would only be sold for shrimping.

IV. Motion - Darcy Kiffe

Request that the Department of Wildlife & Fisheries develop a "Special Commercial Shrimping - Vessel License" which is attached to the vessel, rather than a person and has the owner's name and

official vessel number on it. This license is optional and can be purchased instead of the regular license and shall be revenue-neutral. Suggested price is \$100 instead of \$55.

Motion - Seconded - Steven Charpentier

Motion Passed Unanimously

Brandt Savoie gave a report on the public hearing held December 1, 1992, in New Iberia concerning the Shrimpers & Crabbers conflicts.

Rickie Cradeur also gave a report on this public hearing.

Try and set the next meeting for Tuesday, January 26, 1993.

Motion - Adjourn Meeting - Chuck Lapayre

Motion - Seconded - Dickie Curole

Motion Passed Unanimously

Letters were sent to District Attorneys Greenburg, Alexander and Stansbury (Mr. Robert Wyatt's employer) thanking them for their participation at our last meeting.

Respectfully Submitted:


Linda Rivet, Recording Secretary

FEBRUARY 4, 1993

CONFIDENTIAL

FISHING YEAR	COMMERCIAL SPOTTED SEATROUT LANDINGS											
	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST
92-93	59,266	109,011	135,130	171,169								
91-92	(revised) 25,922	(revised) 47,403	(revised) 105,759	(prelim) 139,433	144,822	57,710	94,215	176,625	3,128			
90-91	42,663	54,724	64,693	158,523	243,771	83,986	59,778	121,674	170,636	121,884	141,483	7,592
89-90	183,277	132,166	146,300	325,410	75,445	76,145	67,441	92,265	26,026	0	767	0
88-89	61,227	123,541	141,184	302,241	316,866	178,001	146,669	59,173	560	447	2	7
87-88	58,017	74,114	90,913	87,988	249,086	143,565	98,287	196,722	64,373	12,717	34,919	5,546
86-87	78,603	158,250	157,276	233,756	204,314	110,792	126,569	245,782	244,144	191,870	217,832	149,539
85-86	15,440	66,576	88,509	214,576	219,796	68,111	120,639	246,287	254,854	191,966	160,520	87,982
CUMULATIVE THROUGH MONTH												
92-93	59,266	168,277	303,407	474,576								
91-92	(revised) 25,922	(revised) 73,325	(revised) 179,084	(prelim) 318,517	463,339	521,049	615,264	791,889	795,017			
90-91	42,663	97,387	162,080	320,603	564,374	648,360	708,138	829,812	1,000,448	1,122,332	1,263,815	1,271,407
89-90	183,277	315,443	461,743	787,153	862,598	938,743	1,006,184	1,098,449	1,124,475	1,124,475	1,125,242	1,125,242
88-89	61,227	184,768	325,952	628,193	945,059	1,123,060	1,269,729	1,328,902	1,329,462	1,329,909	1,329,911	1,329,918
87-88	58,017	132,131	223,044	311,032	560,118	703,683	801,970	998,692	1,063,065	1,075,782	1,110,701	1,116,247
86-87	78,603	236,853	394,129	627,885	832,199	942,991	1,069,560	1,315,342	1,559,486	1,751,356	1,969,188	2,118,727
85-86	15,440	82,016	170,525	385,101	604,897	673,008	793,647	1,039,934	1,294,788	1,486,754	1,647,274	1,735,256

December harvest was in line with harvests the prior months. We continue to project a closing date for the season sometime during April. I expect the actual date will be more precisely estimated next month, and especially later in the month as landings for March are reported. I expect to have a resolution next month for the Commission to allow the Secretary to close when data indicates that the quota is expected to be met.

Outdoors

Brauer, Faker highlight acclaimed bass fishing seminar

Is bass fishing mostly luck?

Are the really good bass fishermen just lucky?

Hank Parker, host of the TV series *Hank Parker's Outdoor Magazine* and former B.A.S.S. Master Classic champion, says "preparation plus opportunity equals luck."

Bass Fishing Techniques aims to eliminate the luck factor from bass fishing. This highly acclaimed program has been

offered nationwide through selected colleges and universities since 1974.

It will be hosted by USL, Feb. 6 and 7. The bass fishing school teaches techniques that will help any angler become more versatile and consistent. Six of America's top professional anglers will be instructors.

Instructors include Denny Brauer, a former B.A.S.S. Angler of the Year and the 1992 Bassmaster Classic Runner-Up. Also instructing will be nine-time slotting.

Bassmaster Classic Finalist, Guy Eaker.

Denny Brauer discusses flipping and pitching for inactive bass, lures, pinbombs and tackle for flipping and pitching.

Guy Eaker concentrates on deep water tactics, using your LCR depth finder to locate bass and spinnerbait tactics for lunk-er bass.

Rich Tauber explains finesse tactics for educated bass, and fishing the Gilziti grub, the doodleworm and the split slotting.

Randy Fille demonstrates crankbait techniques year round and topwater.

Mark Davis specializes in structure techniques, developing seasonal patterns and vertical spoon jugging.

John Dean focuses on developing plastic worm fishing patterns and fishing the Texas Rig, the Carolina Rig, the Woolly Worm and the Shiggo.

Saturday's activities begin at 8 a.m. and end at 4 p.m., but participants are invited to attend informal "Think Tank" sessions with individual instructors until 4:45 p.m. Sunday's activities begin at 9 a.m. with six sessions followed by an additional "Think Tank."

A multitude of topics will be covered. The classroom environment will enable participants to interact with all instructors.

The fee for the seminar is \$69.

For enrollment information, call the Poppourri Division of USL's Continuing Education at 1-6366.

Is LDWF squandering hunter's dollars?

By LLOYD ABADIE
Columnist

Though over \$24 million from sportsmen's hunting license monies have been contributed to Ducks Unlimited by the Dept. of Wildlife and Fisheries, the ducks are still in bad shape.

Had this money been used for matching funds instead, it would have meant that \$2 million would have been spent in Louisiana instead of our contribution going to D.U. to be used wherever that group wanted.

to spend it. We have no knowledge of how that money was spent, we can only assume that a proportionate share was spent for overhead - expenses that had nothing to do with ducks per se.

Be that as it may - even though we have sent D.U. more than \$24 million rarely has the duck population been as low as it is now.

Sure, the LDWF will claim that it only did what it was instructed to do by the Wildlife and Fisheries Commission. Yet, time after time, the game biologists of the LDWF have

recommended donation to D.U. to the exclusion of any other organization regardless of the program for which the money would be used.

The LDWF cannot deny that it was not aware that the money being sent to Ducks Unlimited came from the license monies of all hunters.

The LDWF went so far as to prepare and have signed a "payment schedule" to govern how payment would be made to D.U. and what would be done under different circumstances.

This agreement was prepared by

the LDWF and was signed by then Undersecretary Bettie Baker and witnessed by Acting Secretary A. Kell McInnis III, who has been a Louisiana State Committee Chairman for D.U. We are also in possession of copies of correspondence which prove overpayments to D.U. by the state on more than one occasion.

We have stated our belief that D.U. is more interested in dollars rather than ducks and in support of that contention, the following questions are raised: 1) Is the agreement signed by LDWF personnel legal and binding

upon the LDWF which charges personnel annually? Is the LDWF responsible? 2) Can all or some of this money be recovered? 3) How can the LDWF justify appearing before the Legislature and begging for money to avoid laying off essential personnel and then turning around and sending dollars it could use for three-to-one matching funds to Ducks Unlimited? 4) When will the LDWF and LDWF admit that they have been less than honest about hunter license money? 5) Is a motion by the LDWF to send money to Ducks Unlimited?

